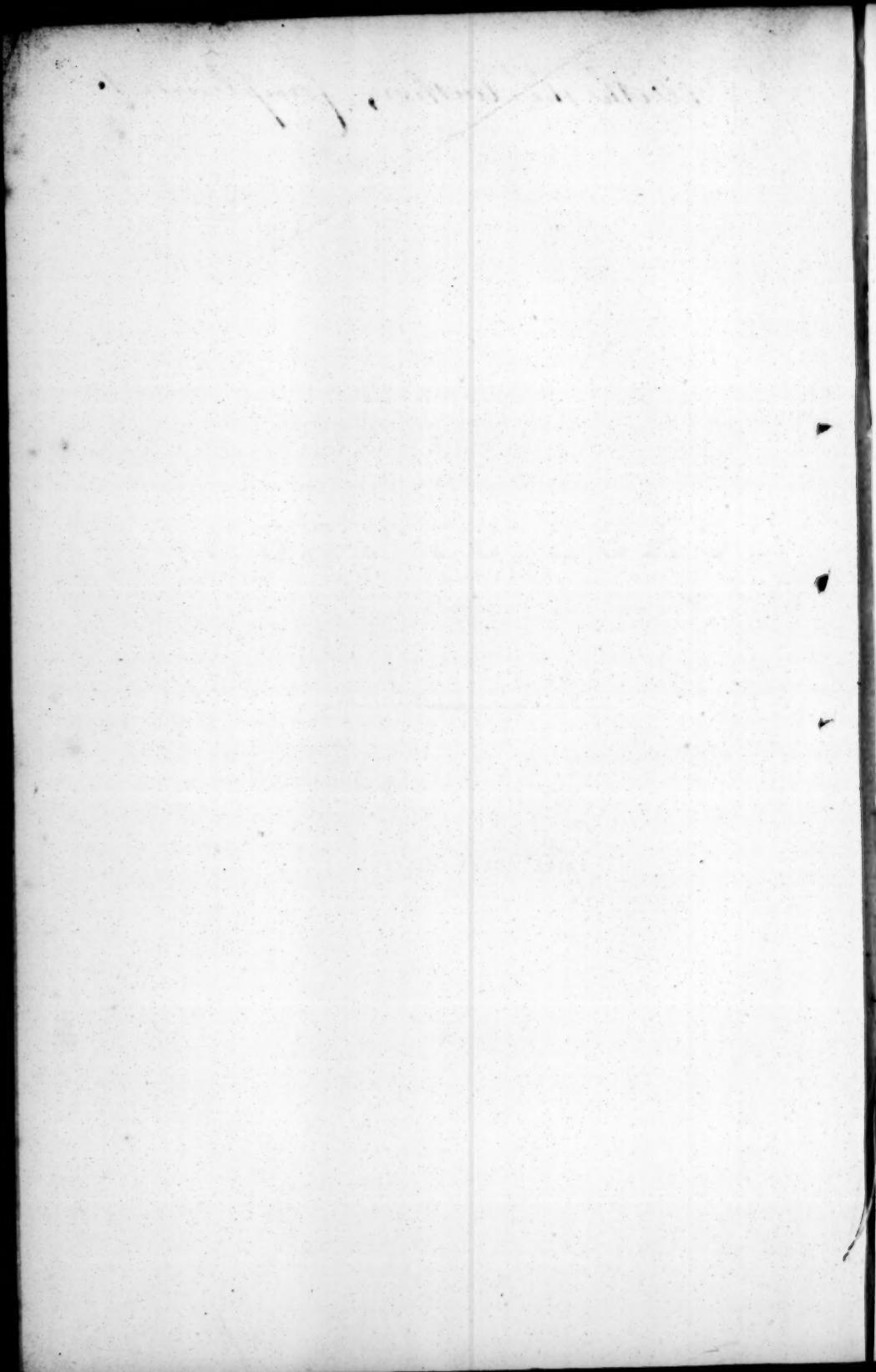


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THE

CASE STATED.

[PRICE THREE SHILLINGS.]



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THE
CASE STATED,

BY

FRANCIS PLOWDEN, Esq.

CONVEYANCER,

OF THE MIDDLE TEMPLE.

OCCASIONED BY

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FOR THE RELIEF

OF THE

English Roman Catholics.

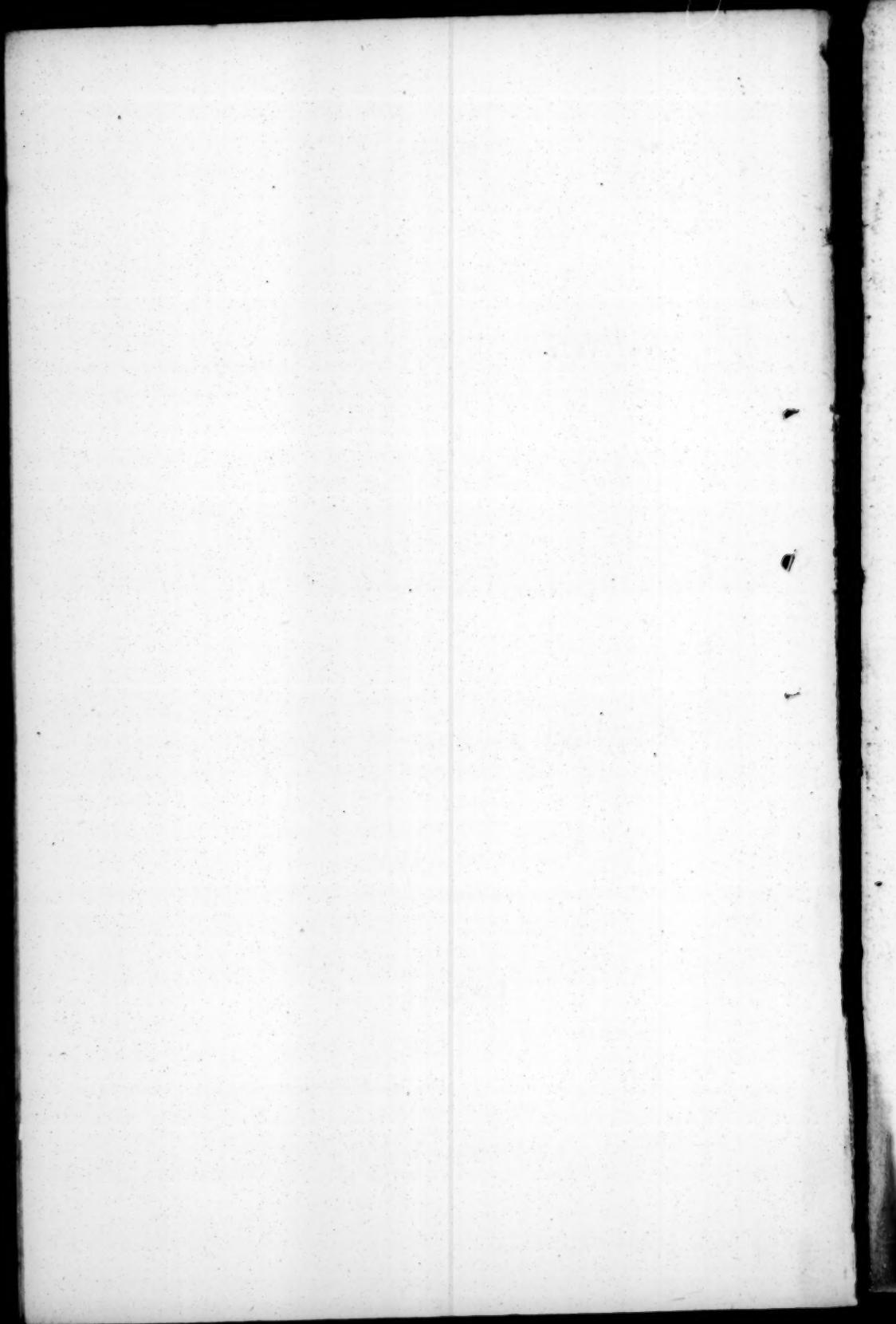
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THE
CASE STATED, &c.

PART I.

IN the variety of human events, there are circumstances, under which silence becomes censurable, if not criminal. The subject of the ensuing sheets will bespeak of itself the force, with which this observation applies to the author of them. Although he flatters himself, that he speaks the sentiments of the greatest number of the English Roman Catholics, yet he professes to do it neither by commission nor delegation from any of them. He personally assumes the full responsibility of whatever he advances.

The Roman Catholics of this country owe the glorious work of their emancipation, under God, in the first place, to the parental love, care, and solicitude of his most gracious Majesty for the rights, welfare, and happiness of all his faithful subjects ; and, in the next place, to the energy and liberality of the most enlightened, firm, and patriotic administration, with which, in that same love,

B care,

care, and solicitude, his Majesty ever provided for his people. May we, his English Roman Catholic subjects, be ever foremost in our exertions, as we are in our wishes, to express and testify the exuberance of our gratitude. We are, and we trust our posterity will for ever remain attached to our present government, and to his most sacred Majesty's person and family, not less from love and affection, than from principle and duty. The blessed day of our happy delivery was reserved for the glorious reign of his present most gracious Majesty, for which may our children, yet unborn, learn from us to revere and bless him for ever.

Since the Legislature has, without one dissenting voice, found us worthy of being relieved from the oppressions, under which we had so long laboured, we are happy to wash away every recollection of our past miseries in the grateful tear of oblivion. We ardently wish, but know not how adequately to pay the proper tribute of gratitude to those, who took the more active part in this glorious work; and particularly to the Right Rev. Bench of Prelates, whose liberal spirit of religious toleration and freedom on this occasion, will perpetuate, to the latest posterity, a most exemplary and heroic pattern of Christian Virtue.

We live, unfortunately, in an age, notorious beyond precedent, for the most gross

and mischievous misconceptions, misrepresentations, and abuses of civil liberty. The intoxicating fume of this pernicious spirit seems to have operated, like Circe's wand, upon the greatest part of Europe. Those who had been educated, or had lived in a steady adherence to the principles of religious morality, it has transformed into the most dissolute atheists ; it has unbridled the restraint, which habit or example had acquired over the lower classes of men, and driven them headlong into every excess of abandoned licentiousness ; it has warped and hebetated the intellects of the informed and enlightened, and fired them, like canine madness, with an indomitable fury for communicating their contagion to all within their reach. We see with amazement and horror its fatal effects upon our neighbours ; and we perceive, with indignation and terror, the attempts made, to introduce the infection amongst ourselves, by the seditious and treasonable publications, that are now so boldly circulated amongst us with impunity.

Unless this modern misconceived doctrine of the rights of men shall meet with some effectual check, no human sagacity can foresee the limits of its pernicious consequences. To such, as will think seriously and impartially, the right principles of civil and social liberty are as simple, clear, and certain, as the first principles of geometry. But the

grand fallacy of all these deluded and deluding arguers upon the rights of men, lies in their confounding man in the speculative state of pure nature, and in the practical habits of civil society. What avail those metaphysical rights and prerogatives, which are attributable to man in this ideal state of speculation? As well might we attempt to handle, and manufacture a mathematical point, as to square our conduct and government by the *pure* state of nature: they both serve for principles of argument and demonstration; and you may as rationally expect to find the absolute weight of a mathematical point in a scale, as you may claim or insist upon the rights of pure nature in the civilized state of society. As true as it is, that a shorter than a strait line cannot be drawn from two given points, so true is it, that no one individual in the state of pure nature had an exclusive right to any portion of this teraqueous globe, or to any other portion of matter beyond that, which was animated with his own vital principle. Shall it, therefore, be from hence inferred, that in the civilized state of society, the peasant shall seize upon the lands of his lord, the soldier lay claim to the appointments of his General, the labourer demand the profits of the Merchant, the servant possess himself of the property of his Master, the beggar that of the King, every man at his own fancy, the money, the goods,

goods the wife of his neighbour? For this metaphysical state, must essentially exclude from it all precedence, power, and subjection: in this state a perfect equality of mankind must exist, nor can it admit of a greater dominion in one man, than in another over any created being. If every man could now insist upon these speculative rights of pure nature, would not the robber, the house-breaker, the forgerer, the criminal of every description, be furnished with the same plea? Would it not drive the Howards and the Russells to deduce their title to their patrimonies from this state of pure nature, to secure them from the invasion of these levelling philosophers? Would it not annihilate, at one stroke, the very existence of every social principle arising out of private rights, by which alone the harmony of the universe is preserved?

When men formed themselves into society, all the natural rights, which could affect society, were given up and irrevocably transferred from the individual to the body at large: it no longer then remained at the liberty or option of individuals to reclaim those rights, which had so become unalienably vested in the community. As long, therefore, as societies have existed, and as long as societies will exist; that is, as long as human nature will last, so long cannot any claim be set up to these rights of men, which now swell the arrogant

arrogant pages of these seditious writers, by which they vitiate the minds, and corrupt the hearts of the unwary and the unruly.

The supposed irrefragable argument of these contagious zealots for overturning Governments and Empires, is, that they can no more be bound by the acts of their ancestors, than they have power to bind their posterity: and that man is vainly born free, if he be denied the exercise of his native freedom. This argument would be irrefragable and conclusive, if made from one individual to another. But it applies not from a state, or aggregate body of men, to an individual of that state or aggregate body. For, although it be generally true, that all men are born equal; yet it is equally true, that no man is born equal to the community, of which he is a member. A particular society, or aggregate collective body of individuals, having once adopted a certain form of government or constitution for their own internal management and regulation, until they cease to be that aggregate collective body, retain an indefeasible right to compel every individual of their community to submit to defend and maintain what they have adopted. How then shall one or more individuals pretend to reclaim those imaginary rights, which attach to individuals in the speculative state of pure nature, by dissenting from the common act of the community

community at large? When I say this, I am not such an enemy to the liberty of mankind, as not to admit and support it in its full beneficial extent. It is a postulatum, that when men formed themselves into society, their natural rights were not given up nor destroyed, but were transferred only from the individual to the body at large. Whatever the former had an indefeasible right to do in the state of nature, the latter has an indefeasible right to do in the state of society: and throughout this state of society, the general interest of the community is the principle, upon which the constitution and particular laws of each state must be founded. The private consideration of individuals were given up in the exchange of our natural rights for the improved liberties of civil intercourse and society. Upon these principles, do we not see Poland exercising her indefeasible rights, by modelling for herself a new constitution and form of government, as better suited to the present times and exigencies, than that which the community had formerly adopted? Here the nation acted in her aggregate capacity, exercised the rights she thus enjoyed, and so perfected the Revolution, without shedding one drop of blood, or exercising one act of severity or cruelty. Thus has the Parliament of Great Britain, in the exercise of those same rights, which it indefeasibly possesses,

ses, just formed a new constitution, and a new code of laws, for the Canadians ; and thus have they in past times provided, and thus will they in future times provide, for every change, alteration and amendment, which have been, or shall be, found requisite in our laws and constitution. The community of this island has, for many years, found it wise, prudent, and safe, to intrust a Parliament with the rights, which indefeasibly belong to her in her aggregate capacity ; and, I trust, that as long as she remains a nation, she will continue so to do.

If an individual of any community feels or fancies himself aggrieved or oppressed by the acts of the collective body, I know of no other redress, than the alternative of his quitting the community of which he was a member, or accommodating himself peaceably to its orders and regulations. Far be it from me to deny to any man the full, free, and uncontrolled power of thinking and acting in every thing, which affects not the rights of the community : for such rights only does the community possess, which the individual no longer retains : the transfer of them from the one, has vested them in the other : they cannot subsist in both. Thus the rights of each community are relative only, and bind such, as by living under her protection, and remaining members of her society, continue subject to the power,

power, which they have so delegated to her ; and which, whilst the community subsists, they can neither totally nor partially recall. The liberty or right of locomotion never was transferred from the individual ; and therefore the state cannot without some special reason, prevent the emigration of her members. Every man is at liberty to withdraw himself from any particular society ; but he is not free to disturb, overturn, or destroy the government of that society, to which he may happen or chuse to belong. Men are by nature gregarious : nor do I know even one solitary instance, in which a man has totally sequestered himself from society, to enjoy the isolated charms of the theoretical rights of pure nature.

Mankind now is, and to the end of time will continue to be, separated into different collective bodies ; each of which is as independent of the other, as, in the state of pure nature, one individual was independent of the other. The fundamental principle of this civil society is, that every individual of the body is subject and liable to the aggregate power of the whole. And as each individual retains the power of separating himself from the body, at his own free-will and election, unless for some special reason, the body or state shall chuse to retain him either as a victim or an hostage ; so does every society

ciety or state indefeasibly enjoy the right to punish or expel from their community every individual ; who by re-claiming the rights, which he had unalienably transferred to the aggregate body, attempts to disturb the peace, harmony, and establishment of their government and œconomy. And, certainly, if state policy can in any instance require the severity of corporal punishment, it is in those cases, in which the disturbance or overthrow of the government is attempted by seditious and refractory members of the community. For the community, in reality, is a corporation ; and in her corporate capacity should, like all other subordinate corporations, be more jealous and tenacious of the fundamental rights of the corporation, than of the private rights of the particular members ; for these latter can only be preserved and protected by the energy and vigour of the former.

It were ardently to be wished, that modern principles, modern practices, modern attempts, did not render the truth of these observations too glaring. For two reasons have I introduced them : first, I see a peculiar degree of well-timed liberality and justice in the legislature's granting an extension of reasonable liberty to a set of men, who applied for it in a manly, though submissive manner, at a time, when the wildest fancies and most unreasonable wishes of those seditious levelers,

lers are insisted upon, and demanded of states, as the indefeasible rights of men. To insist upon and demand, against the sense of the community, any right or privilege on such a ground, is, in my humble conception, a full reason not only to resist the demand, but to punish the demandant in the most exemplary manner. Secondly, I feel an honest pride in having an opportunity of convincing my fellow citizens, that the body of the Roman Catholics are, from principle and habit, more emphatically than any other set of men, averse from these principles of equalization and destruction.

If it be objected to me, that the French Revolution has been produced by Roman Catholics in a Roman Catholic country, I will answer what no man can deny: That the general abandonment of all revealed religion by the highest ranks and the armies of France, has, more than any other cause, been productive of the present revolution: That it has been planned, carried on, and supported by the most avowed and determined atheists and deists of that kingdom; and has been uniformly disrelished and opposed by all those, who were actuated by any impulse of religion or morality. The suppression of every religious institution, the degradation of the clergy, and the sanctification of the ashes of Rousseau and Voltaire, are the infamous proofs of these melancholy truths.

I mean

I mean not to enter into a polemical dissertation upon the tenets of the Roman Catholic religion, but to represent to the nation (for they have a right to know) the true state and case of the body of English Roman Catholics, who have lately been the object of much deliberation in Parliament, and who consequently have been much and variously spoken of by the nation at large. They will ever pride themselves particularly in acknowledging the obligations they owe, on this occasion, to the liberality of their countrymen, both in and out of the senate. Yet that same liberality which has produced the bounty, will not refuse to make some allowances for the differences and dissents which unfortunately, on this occasion, have subsisted in our own body: they have been exaggerated by some, misconceived by many, and rightly understood by few. Whatever hasty judgments may have been formed from appearances, or from misrepresentation or misconception of the real state of the case, one thing is indisputable, that the two divisions, into which the Roman Catholic body was, or appeared to be, dissected, both agreed, most steadfastly (as they still do) in every article of their faith. As therefore the legislature has most judiciously, most wisely, and most kindly prevented the intended, or proposed, or wished for, or dreaded division of the body, by rendering their indulgence as indiscriminate

indiscriminate and extensive as possible, it behoves me to draw first a faithful representation of the body at large, that the nation may be the more satisfied, and rejoice, that they have not extended their liberality to the ungrateful or the undeserving.

Under the present circumstances of the civil regeneration and adoption of the English Roman Catholics by the state, I think it no small degree of happiness to be able to define, with accuracy and precision, what relation their religious tenets ever have, now do, and ever will bear, to the civil polity and government of their country. For if any one says, or pretends to insinuate, that in this respect the modern Roman Catholics, who are the objects of the late bounty of parliament, differ in one *iota* from their predecessors, he is either deceived himself, or he wishes to deceive others. *Semper eadem*, is more emphatically descriptive of our religion, than of our jurisprudence. I might be less anxious to submit my proofs of this to my countrymen, did the subject merely refer to, or concern the body of Roman Catholics in England. The comparative smallness of their numbers renders them scarcely perceptible in a general view of the community at large. But, in some other parts of his majesty's dominions, as in Canada and Ireland, the number of his majesty's Roman Catholic subjects is perhaps nearly in the inverse

inverse *ratio* or proportion. A new constitution has been just modelled to suit the dispositions, habits, and exigencies of the Canadians. And I see, with infinite satisfaction, a generous disposition in the Irish Parliament to emulate the liberality of the parliament of Great Britain, in alleviating the burthens and sufferings of the Roman Catholics of that kingdom. But I hear, with the most indignant sorrow, that this detestable and dangerous herd of levellers (I wish it to be false) have circulated through that kingdom, either gratuitously, or at very reduced prices, many score thousands of publications, that in my opinion breathe through the whole, principles the most obnoxious to civil society in general, the most opposite to the constitution of these realms, and the most repugnant to the laws of Christianity; and which, in some instances, speak the most direct and scandalous treason against the state. If any individual amongst us be dissatisfied with that form and model of government, which has raised, and supports this nation above the political level of our surrounding neighbours, let him abjure the realm; let him associate with that community, which shall approve and adopt his restless and pernicious principles of equalization (if such can be found); let him fail in discovery of a new Utopia; but let him not raise his rebellious and traitorous hand to pull down and destroy the

the edifice, which the community inhabit, and which they find necessary for their comfort and safety ; let him be exterminated or punished, if he persist to attempt to infect others with the poison of his own contagion. If he will not hear and submit to reason, be he compelled, even by corporal punishments, to feel the force, if he will not see the truth of this first principle of civil society ; *viz. That the rights of the community, and the rights of individuals, are neither equal nor reciprocal.* An attempt of individuals to disturb, resist, and overturn the œconomy adopted by the community, should never be permitted with impunity.

The lower class of the Irish, I understand to be a race robust and hardy, and of a very irritable disposition and nature ; they are now indolent, in extreme poverty, from being debarred the common resources of industry ; and are averse from all laws, from having felt the constant pressure of such only as are galling and severe. It is scarcely possible for these infatuated zealots for sedition and anarchy, to have found more ready materials to operate upon, than persons of this description so circumstanced ; but as the generality of this class in Ireland profess the Roman Catholic religion, it is in this, and this above every thing else, in which, under Providence, we shall find an antidote against the poison

poison thus traiterously attempted to be spread amongst them. Certain at least it is, that the progress of the contagion, both there and elsewhere, will ever be proportioned to the quantity of this antidote, with which the persons, whose infection is aimed at, shall be provided.

What I shall now say, is the universal doctrine of all Roman Catholics, of all ages and of all countries, without an *iota* of difference (as we believe) from the foundation of Christianity to the present day. And I have the greater satisfaction in setting forth this brief exposition of our faith; as it has been frequently observed by persons of the highest respect and information in this country, that, in the test of our faith, which by the oath we are called upon to make, we swear only negatively; that is, we swear only to what we do *not* believe; whereas, if it at all concerns the state to be informed of the religious tenets of their subjects, they ought to be informed and assured fully, of all the tenets which we do actually believe and profess.

The Roman Catholic believes, together with the Church of England, the mysteries of the blessed Trinity, the Incarnation, Death, Resurrection, and Ascension of our blessed Redeemer, the divine Inspiration of the Holy Scriptures, the Resurrection of the Flesh, and an Eternity of Rewards and Punishments after Death:—He further believes, that

that as Jesus Christ came upon earth to put an end to the Law of Moses, by the establishment of the Christian religion, this religion must be *one, holy, and invariable*: and he places the most unequivocal reliance in the promises of Christ, that his church shall be taught all truth, by the special assistance of the Holy Ghost, to the end of the world (Joan. xvi. 13.); and therefore, that the Church of Christ must of necessity be infallible or unerring in her doctrine of faith and morality. He therefore admits the decrees of a General Council in such matters of faith and morality, when approved of by the Pope, and received by the Church, to be absolutely infallible, or not liable to deceit or error. But the Roman Catholic church has not defined nor declared it to be an article of faith, that the decrees of the Pope alone, even when he speaks *ex cathedrâ*, upon such matters of faith and morality, are infallible.

Roman Catholics believe, that the Church of Christ upon earth is necessarily visible, that all may see, know, and obey her; and that she is governed by a visible head, for settling and preserving her unity, and thereby keeping up the ecclesiastical hierarchy and spiritual subordination through all her parts. That this spiritual headship, or supremacy, was promised to and vested in St. Peter, and hath been continued, by spiritual ordination,

C continually ever

ever since, in his successors, the Popes or Bishops of the See of Rome, regularly and uninterruptedly, down to the present day *.

They do not believe, that Jesus Christ gave any other than a spiritual or ecclesiastical power, pre-eminence, or authority to Saint Peter ; nor do they allow any other to his successors : but as the power itself is merely spiritual, so is the title unto it merely of a spiritual nature. A man can only become a successor of the apostles by ordination, and such

* It would exceed the bounds and intent of this work to adduce the historical evidence, which the Roman Catholics are furnished with, to prove the continuance of this uninterrupted succession of Bishops in the See of Rome. As early as the second century, we find S. Irenæus (C. 3. c. 3. adv. Hær.) using the very reasons and arguments, which the Roman Catholics at this day do, for the necessity of preserving this supremacy, " Because 'tis too much to reckon up in such " a volume as this, the succession of all churches ; 'tis only " declaring the tradition of the church of Rome the greatest, " the most ancient, and most known of all others, founded and " established there by the two most glorious apostles, Peter " and Paul ; 'tis only declaring (I say) the tradition of this " church, which it has received from the Apostles, and the " Faith delivered and conveyed down to us by the succession " of bishops ; and we confound all such who, either through " self-love, vain-glory, blindness, malice, or on any other " account, do unduly assemble. For 'tis necessary, that " every church should have recourse to this by reason of its " more powerful principality." And in the fourth century, another holy father (St. Optat. Melivet. L.2. adv. Parmen.) actually deduces the title of the then Pope of Rome to that chair, to shew the immediate and lineal spiritual descent or succession of it from St. Peter ; and to prove against the heretics and schismatics of those days, the fulfilling of Christ's promise to St. Peter, in the same manner, as the Evangelist traced the lineal genealogy of our blessed Lord from David, to convince the Jews of the verification of the prophecies in his

such alone can partake of a share in the ecclesiastical hierarchy ; no degree therefore whatever of spiritual power or jurisdiction can possibly be acquired by temporal means. *My kingdom is not of this world.* They hold themselves therefore bound strictly by their consciences not to acknowledge any spiritual power, pre-eminence, or authority, in any temporal royalty, or other civil magistracy whatever. If they believe, that Jesus Christ gave unto any man the keys of the kingdom of heaven, they cannot believe, that it is in the power of any man, or any body of men,

his most sacred person. " We must see who was the first " bishop, and where his episcopal See. If thou art ignorant " of this, learn : if thou knowest it, be ashamed.—Thou " can't not deny, but thou knowest that the episcopal chair " was first erected at Rome by Peter ; in which Peter did sit, " the head of all the apostles ; for which reason he was also " called Cephas : to the end, that in this one chair, unity " might be preserved amongst all ; and that the other apostles " might not every one maintain other seats for themselves, " in opposition to this. So that he would be a schismatic " and sinner, whosoever should set up another chair, to con- " tend with this one. The chair, therefore, is only *one* ; " which is the first of its endowments. In this Peter sat " first : Linus succeeded him, then Clemens, then Anacletus, " then Evaristus, then Sixtus, then Telesphorus, then Hy- " ginus, then Anicetus, then Pius, then Soter, then Eleu- " therius, then Victor, then Zephyrinus, then Calixtus, then " Urbanus, then Fabianus, then Cornelius, then Lucius, " then Stephanus, then Sixtus, then Dionysius, then Fælix, " then Eutychianus, then Caius, then Marcellinus, then " Marcellus, then Eusebius, then Miltiades, then Silvester, " then Marcus, then Julius, then Liberius, then Damasus, " then Siricius, who is at this day our contemporary, with " whom we and the whole world hold communion by circular " epistles, and agree as one body."

to impede or prevent, to transmit or transpose, to extinguish or annul, this gift of Jesus Christ, at his or their will and pleasure. These are incidents of temporal power, not of spiritual jurisdiction ; they refuse therefore the oath, when tendered to them, of *spiritual supremacy*, whether it go to acknowledge it in a layman, in a woman, or in an infant. But as the submission or obedience, which the primitive Christians paid to the spiritual supremacy of St. Peter, did not in any degree interfere with their civil allegiance to their respective temporal powers, so the acknowledgment of the Pope's supremacy has no other civil effect upon a Roman Catholic subject of this country, than to enforce his acquiescence in its laws and constitution ; the very power, to which he pays his spiritual submission, obliges him, under the pain of eternal reprobation, to believe, that he owes submission and obedience to the temporal powers, which the law places over him, according to the frequent injunctions to that effect, imposed upon us by the Holy Scriptures, where we are even particularly warned not to withhold our obedience and submission on account of the personal vices or errors of those, whom the law invests with the civil powers. They hold themselves equally commanded to obey the most wicked, or even idolatrous princes, as the Jews were commanded to obey the Scribes and Pharisees, who

who had sitten upon the chair of Moses ;
and they hold themselves equally obliged not
to do according to their works *.

Every

* Far be it from me to assert, that there are any British subjects, who at this day hold any doctrine or principles, that can affect the civil government, contrary in substance to what I have here set forth to be the principle of all persons professing the Roman Catholic Religion. But, under the circumstances of the present times, I have two reasons for shewing, that there have existed sectaries, who held and avowed certain principles, which they wickedly call'd *religious*, that were in fact destructive of all civil government. The first reason is, to shew, that the civil government has a right to enquire into and examine the tenets, which its members hold and profess as *religious*. The second reason is, to warn government to be peculiarly watchful over such of its subjects as may be most disposed to take the infection of the levelling contagion of the present day. The Waldenses held and taught (Illyricus in catal. testim. veritatis, p. 735 and 755), that *neither priest, nor civil magistrate, being guilty of mortal sin, did enjoy their dignity, or were to be obeyed.* It is allowed by Mr. Fox, in his Book of Martyrs, and Osiander (Osiander in Epit. &c. Centur. 9, 10, 11, &c. p. 454. fin. Art. 15), that one of Wickliff's articles was, *There is no civil magistrate whilſt he is in mortal sin*; and that another was, (Osiander, ubi supra), *That the people may, at their pleasure, correct princes, when they do offend.*—Extravagant as these propositions may appear, and intolerable in any civil government, we find them revived and maintained afterwards by John Hus: and the same author, though generally commanding and panegyrizing John Hus as a saint and martyr, (Osiander, in Epit. &c. Cent. 9, 10, &c. p. 469), repeats his doctrine thus: *Nullus est dominus civilis, Nullus est prælatu., Nullus est episcopus, dum est in peccato mortali.* And though he does not, as surely no rational being can, approve of the doctrine, *Hæc præpositio approbari non potest;* yet he reluctantly admits, that his hero or saint in this partook something of human frailty. *Sed paſſus est Jobannes Husse in hac parte aliquid humani.* It may not be improper to remark here, that the Hussites, actuated by these principles, carried on a most bloody and rebellious war against the Emperor, their lawful sovereign, under Zisca their general, for many years. Without

Every Roman Catholic then believes, that the Church of Christ ever has been, and ever will continue to be, governed by an ecclesiastical

out entering into a detail of the effects, which were produced by the principles of Martin Luther, I will state some of them, which, I think, ought to be very narrowly scrutinized and guarded against by every civil government. (Vid. Luth. de seculari potestate. Tom. III. Germ—and more at large by Mr. Harding, in M. Jewell's Defence of the Apology, printed in 1571, page 429). *Amongst Christians, no man can or ought to be magistrate, but each one is to the other equally subject, &c.*—And, *Amongst Christian men, none is superior, save one and only Christ.*—And again, *Therefore is Christ our Lord, that he may make us such as himself is.* And as he cannot suffer himself to be tied and bound by laws, &c. so ought not the conscience of a Christian to suffer them. I draw no conclusion from these premises: as I probably do not understand them in the light, in which they are received by the followers of Luther; I should be sorry, however, that any tenets of the Roman Catholic Faith were as open to the same deductions, which men of levelling principles may think themselves justified in drawing from these. The known and avowed doctrine of Zwinglius was, that *when princes do any thing contrary to the rule of Christ they may be deposed,* (Zwing. tom. I. In Explan. articuli 42 fol. 84) *Quando perfide et extra Christi regulam egerint possunt cum Deo deponi.*—And (page 84.) in explanation and confirmation of his principles, he denounces God's vengeance upon that people, who do not depose a wicked prince: *quin dum flagitiosi reges loco non morventur, totus populus a Deo punitur.* But lest these principles should, by possibility, be mistaken by their disciples, both Zwinglius and Ecolampadius (Lib. 4. Epistolar. page 868) specify an instance, in which we incur the full guilt of non-resistance. “Due loyalty is to be promised to Cæsar, if so, that he permit “to us our religion inviolate,” (otherwise) “If the Roman “Emperor, or what other sovereign soever, should oppress the “sincere religion, (that is their own) and we negligently suffer “the same, *jam negatæ aut contemptæ religionis non minus rei erimus, quam illi ipsi oppressores.* I will end with the open and avowed principles of Calvin, without even suggesting, that they are adopted or followed by any of his modern disciples. (Calvin in Dan. c. 6, v. 22, and 25.) *Abdicant se potestate terreni principes, dum insurgunt contra Deum; immo indigni sunt, qui*

tical hierarchy, or a regular and fixed establishment of spiritual superiors or guides, the first of whom is the Pope or Bishop of the see of Rome: "For the Pope," says the Council of Florence *, "is the true successor of St. Peter, prince of the apostles, vicar of Christ upon earth, head of the church, father and doctor of Christians, who has received from Jesus Christ a plenitude of power to feed, to rule, and to govern the universal Church."

And, in order to preserve the unity of the Church, in the parts, as well as in the whole, he believes that every one is guilty of schism, who voluntarily separates himself from his lawful and orthodox Bishop. Upon this head, St. Cyprian expresses himself very pointedly (Epif. 69). "Whence you must know, that the Bishop is in the Church, and the Church in the Bishop: and who soever is not united with the Bishop, is no member of the Church, and that they in vain flatter themselves, who, having broken the peace with the priests of God,

qui censeantur in hominum numero; potius ergo conspere oportet in illorum Capita, quam illis parere, &c. Surely a state or community, who chuse to be governed by a king or sovereign, who cannot be impeccable in this life, and therefore may, by some actual sin, *rise against God*, has a right to demand from every one of its members, either a total renunciation, or a very satisfactory explanation of these and such like principles, if they profess themselves disciples and followers of the Master, who established or broached them.

* Conc. Flor. Sess. 26.

" steal

“ steal to private meetings, and persuade
 “ themselves, that they retain a commu-
 “ nion with some in secret: whereas the
 “ Church, which is Catholic, is *one*, with-
 “ out separation or division, closely knit to-
 “ gether, and united by the tie of the agree-
 “ ing priests.”—And, in another work,
 (De Unit. Ecclæ.) he says again, “ What
 “ kind of sacrifice do they imagine they of-
 “ fer up, who are in contention with the
 “ priests? Can they think, that Christ is
 “ with them in their meetings, being as-
 “ sembled out of the unity of the Church?”

In full confidence, that Almighty God would not require of us to hear the Church*, if it could lead us into error or falsehood, we allow the Church of Christ to be the Supreme Judge of all controversies, and the interpreter of the word of God:—And, therefore, when we read and study the scriptures, we do it in that habitual sense of deference and submission to the Church, that we are ready to submit our own sense or understanding of them, to that sense or interpretation, which the Church has or may put upon them.

The Roman Catholics believe, that as Jesus Christ founded his Church upon preaching, tradition consequently was the first rule of Christian Faith: and when the scriptures

* If he neglect to hear the church, let him be unto thee as a heathen and a publican. (Matt. xviii. 17.)

of the New Testament were afterwards joined to that rule, the word of God so preached lost nothing of its authority : they therefore receive with equal veneration, whatever was taught by the Apostles, whether in writing, or by word of mouth, according to that of Saint Paul (2 Thess. xi. 15.) “Therefore, Brethren, stand fast, and hold the traditions, which ye have been taught, whether by word or by *our epistle*.” He consequently believes all such traditions, as the Church has admitted and declared, to be apostolical ; upon the same ground, that he admits such books of the Holy Scriptures, as the Church has at different times declared to be canonical. Thus he believes, that there is a purgatory, and that the prayers of the living may avail the dead : thus he also admits of the change of the Jewish Sabbath into the Christian Sunday ; infant baptism, and many other points, for which there is no clear text in scripture *.

The ground of the doctrine of purgatory is this ; that there are some sins of a lighter nature, which are not deserving of hell torments ; for which, however, we must

* St. Epiphanius (Hær. 61.) said, as early as in the fourth century, “*Tis necessary to admit of tradition: for all things cannot be found in Scripture*”—And again (p. 75.) writing against Aerius, who denied Purgatory and praying for the dead, he says : *I affirm the church does necessarily maintain this: having received it from antiquity.*

satisfy

satisfy the divine justice in this life, or by temporary punishments in the next. For, as we know, that nothing defiled shall enter into the kingdom of Heaven, so we believe, that the soul cannot contract even the slightest stain of sin (except the original sin, in which we are all born) but by her own voluntary motion and consent: consequently, that she cannot purge herself in this world of it, but by her voluntary repentance and satisfaction; for, we believe, that the merits of Jesus Christ are not applied to us (except in the Sacrament of Infant Baptism), but by our own co-operation. Believing, therefore, that there is a state of punishment after life, where the soul is to make satisfaction for those sins, for which she shall not have fully satisfied in this life: and that such souls, in this state of punishment, are a part of the Church of Christ, which is entitled to eternal life; and that they have a communication with the prayers of the Church Militant upon earth: we maintain, that Almighty God both can and will, in consideration of the good works performed here on earth by his servants in the state of Grace, take off or shorten the pains of those souls, who are in this purging state of torment. We therefore think upon this subject, as the writer of the book of the Macchabees thought 200 years before the coming

coming of Christ * (2 Mac. xii. c. 43.)
 " He making a gathering, sent twelve
 " thousand drachms of silver to Jerusalem,
 " to have sacrifices offered for the sins of
 " the dead, well and righteously thinking
 " of the resurrection. For, unless he hop-
 " ed, that they, who were slain, should
 " rise again, it should seem superfluous and
 " vain to pray for the dead. It is, there-
 " fore, a holy and healthful cogitation to
 " pray for the dead, that they may be
 " loosed from their sins."

The Roman Catholic Church holds seven distinct sacraments, as so many holy signs or ceremonies, to the due application of which, the gift of inward Grace is annexed: these are, Baptism, Confirmation, the Holy Eucharist, Penance, Extreme Unction, Holy Orders, and Matrimony.

In as much as the receiving of the sacraments may produce an effect upon the moral character or conduct of individuals, I hold myself bound, by the principle of this publication, to make some observations upon them.

It is the doctrine of the church of Rome, that every adult is bound to use his utmost endeavours to put himself in the state of grace, by a sincere and full sorrow for all his

* The Roman Catholic Church declared, at the Council of Carthage, A. D. 397, the books of the Macchabees to be canonical.

offences, and a firm resolution to avoid even the occasions of them in future, before he approaches any one of the sacraments. This previous condition certainly tends mainly to correct and improve the morality of those, who sincerely approach the sacraments. And, certainly, if they receive them worthily, that grace, which we hold to be annexed to each of them, will not a little conduce towards the confirmation of such persons in righteousness.

I know it to be an idea of some persons, not accurately informed of the tenets of the Roman Catholic Church, that the sacrament of penance is productive of very pernicious consequences to civil society: that the influence which, by the practice of confession, the spiritual director acquires over his penitent, may be employed and directed to the most mischievous and wicked purposes;— and that the assurance of becoming freed and absolved from sins by confessing them to our fellow-creature, habituates the sinner to commit them with less remorse and more frequency.

There is nothing so good and holy, but what may, in some cases, be abused. St. Paul foresaw, that abuses would be committed in receiving the blessed sacrament of the altar unworthily; but it does not therefore cease to be a most holy and divine institution. The abuses which may, possibly,
be

be committed by confessors, from the knowledge they receive in the sacred tribunal of confession, or from the dispositions and pliancy of their penitents, cannot be very formidable to any state, since I never as yet either heard or read of an instance, in which any such person was found guilty of the practice or abuse. I have often heard and read of many such accusations, some made from malice, some from ignorance, some serious, some romantic, some ludicrous. In all Christian countries the ministers of the Gospel undergo some sort of probationary scrutiny, before they are admitted to the exercise of their functions: in all, they have previously received a liberal education: in all, they have been brought up in and habituated to the spirit of peace and subordination; in all, they have some interest in, or dependance upon the civil government. And I therefore conclude, generally, that the more numerous part of penitents, who will ever be the lower class of the people, will be better advised, guided, and directed by the ministers of the Gospel, in their social and civil conduct, duties, and demeanour, than if they were abandoned to the natural bias of their own ignorance and passions. Besides, if a multitude be misguided by one individual, and that individual be amenable to the control of the civil power, the evil may be easily remedied by his removal, punishment, or correction.

rection. It is a matter of great notoriety, that very alarming disturbances have, within these few years, been quieted in Ireland, through the well-directed influence of Roman Catholic Missionaries over their flocks, when government had failed in every other attempt to suppress them. And they have been publickly thanked by the legislature of that kingdom for their services.

Little must they be acquainted with the practice and usage of confession, who think it can facilitate or promote vice. Amongst those, who hold themselves bound by this duty of confessing their sins, at least once in the year, to a priest approved of by their bishop, it is an invariable observation, that the first step to immorality, impiety, or irreligion, is the cessation to frequent this sacrament. And, certainly, whoever considers the nature of the sacrament, will not wonder that a person, who gives up the reins to his passions, or renounces the painful practices of a pious life, or endeavours to harden his heart against the commandments and requisitions of his Creator, shall first decline to comply with the humiliating and mortifying conditions, upon which alone he can be admitted to the sacred tribunal of confession.

When a sinner is called upon, or inclines to comply with this duty of the church, he is taught, that he must work up his heart to a real unfeigned sorrow for all the sins, by which

which he has offended his Maker, and a firm and fixed resolution of amending his future life, by avoiding all sin, and the occasions of it. He is bound, in the bitterness of his soul, to call to his memory all the grievous sins he has committed, and make a special verbal confession of them, without disguise or attenuation, to the minister ; and he must then faithfully and punctually comply with whatever penance, austerities, and mortifications his director shall, in his discretion, think proper to enjoin or impose upon him. Without the full and faithful compliance with all these conditions, on the part of the penitent, the Roman Catholic is taught, and believes, that the absolution of the priest will not only *not* free him from his sins, but will superadd the additional sin of *sacrilege* to the other offences of the insincere penitent. The *satisfaction*, which the penitent is to make, both to God and man, is particularly to be attended to, as well as the necessary conditions or indispensable obligations, which are required of the penitent, whenever he confesses himself guilty of any sin, which effects his neighbour ; such as *restitution* in the cases of theft and detraction, *reparation* in the cases of scandal or other injury, *reconciliation* and *forgiveness* in cases of enmity and uncharitableness, &c. Such being the Roman Catholic doctrine of the sacrament of penance, I boldly assert, that it is for the interest of every civil society,

society, that its members should rather frequent, than abstain from it.

Those, who hold matrimony to be a sacrament, must be supposed to receive it with more deference, respect, and awe, than those who do not. And, therefore, from such their doctrine, they have certainly stronger inducements to keep sacred and inviolate its holy engagements.

The Roman Catholic, who believes the real presence of our blessed Lord in the Eucharist, and who is bound by his Church, under mortal sin, to assist devoutly at the sacrifice of the Mass on every Sunday and Holyday throughout the year, cannot certainly become a worse man, nor a worse citizen, by frequenting and receiving this sacrament, especially as he is bound to dispose and prepare himself for it, by the previous approach to the sacrament of Penance in the manner, I have before described.

It would suffice for me to have barely stated, that Roman Catholics believe in *indulgences*, if that word had not been so frequently and grossly misconceived and misrepresented; so as to induce the supposition or belief, that an indulgence is of the most pernicious and immoral tendency in civil society.

In order the more clearly to explain the real sense and meaning of an indulgence, it may

may be proper to premise, that the Roman Catholic is taught, that for every grievous sin he voluntarily commits, he incurs a twofold punishment, *temporal* and *eternal*. And this distinction of these two sorts of punishment ought to be attended to, as well for the thorough understanding of the doctrine of Purgatory and Repentance, as of Indulgences. So when a sinner has, by repentance, procured the actual forgiveness of his sin, there often remains a temporal satisfaction, which Almighty God requires of the Penitent, and which must be complied with, either in this world, or in the next. This is clearly exemplified in the case of king David (2 Samuel xii. 13). “ *And David said unto Nathan, I have sinned against the Lord. And Nathan said unto David, the Lord hath put away thy sin.*” Behold here the actual forgiveness of the sin by repentance. Yet Almighty God still required of David some temporal satisfaction. “ *Howbeit, because by this deed thou hast given great occasion to the enemies of the Lord to blaspheme; the child also, that is born unto thee, shall surely die.* And Nathan departed unto his house, and the Lord struck the child that Uriah’s wife bore unto David, and it was “ *very sick,*” &c.

An indulgence does not consist in the forgiveness of sin, much less in the permission

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tion to commit it with impunity, as many have, through ignorance or malice, asserted. Our faith teaches us, that no power on earth can forgive one mortal or venial offence, without a true contrition, or due sorrow in the sacrament of penance on our part, always to be accompanied with a sincere purpose of offending no more. All that is forgiven by an indulgence, is the whole or part of that temporal pain, or satisfaction, which yet, according to God's justice, we stand liable to pay for the sin already forgiven.

The first requisite (without which there is no possibility of obtaining an indulgence) is to have true Faith, producing true Repentance for our sins. We Roman Catholics believe, that only Faith, *working by Charity*, will justify, according to that of St. Paul (1 Cor. xiii. 2). *And though I have all Faith, so that I could remove mountains, and have not Charity, I am nothing.* After this, it is further required of the person wishing to gain an indulgence: First, That he seriously approach the sacrament of Penance, if he find himself guilty of any mortal or grievous offence. Secondly, That he make perfect restitution of every thing, to which he is bound. Thirdly, That he perform faithfully the Penance enjoined or imposed in the Sacrament. And if this Penance fall short of satisfying the Divine Justice, for the pains yet due to the sins forgiven, the sinner stands

stands still obliged to satisfy the Divine Justice by further penal works.

Now, all that our church ever taught concerning indulgences is, that by an indulgence the whole or part of this pain may be pardoned or remitted, and not even that, by indulgences granted merely at the Pope's pleasure, but by such only, to which the performance of certain virtuous actions is annexed: so that in fact an indulgence is only an anticipated remission of future penalties, which are necessary towards satisfying the Divine Justice for our sins, by commutation for other good works, such as prayers, alms, deeds, fasting, &c. which for that purpose we voluntarily undertake in this life. It is not possible then, that this doctrine of the Roman Catholic Church should, in any sense, encourage, facilitate, countenance, or permit the commission of sin; for, before a person can obtain an indulgence, he must have done that, which many Christians hold to be alone necessary for his justification, or being in the state of Grace; and all that, which is required of him over and above, is, that he do something more to satisfy the Divine Justice for his sins.

The practice and usage of the church of Rome, in praying to the Saints and Angels in Heaven, is founded upon the principle, that there exists a communication between the Church Militant upon earth, and the

Church Triumphant in Heaven, which is one and the same Church of Christ. We beg the Saints in Heaven to intercede to Almighty God in our behalf, in the same manner, as we apply to our brethren upon earth to offer up their oraisons to God for the same purpose ; that as this latter mode of intercession has never been thought to derogate from the powerful mediation of Jesus Christ to his eternal Father in our behalf, so the council of Trent expressly teaches us, that the former is not open to the same objection *. “ The Council expressly declares, that, we pray to Almighty God, either to grant us favours, or to deliver us from evils ; but because the Saints are more agreeable to him, than we are, we beseech them to plead our cause, and obtain for us such things as we stand in need of ; hence we use two sorts of prayer, widely different from each other ; for when we address ourselves to Almighty God, we say, have mercy upon us, hear us, &c. ; but when we pray to the Saints, we are contented to say, pray for us.” And the same council, in another place, expressly and decisively declares, that, † “ The Saints who reign with Jesus Christ, offer to God their prayers for

* Part 4. Tit. *Quis orandus fit?*

† Sess. 25. *De invoc.*

men,

“ men, and it is good and profitable to call
 “ upon them in a supplicant manner, and
 “ to have recourse to their aid and succour,
 “ to obtain for us favours of Almighty
 “ God, by Jesus Christ his only Son our
 “ Lord, who alone is our Saviour and Re-
 “ deemer.” Thus our praying to the Saints
 to petition favours for us of Almighty God,
 is no more, than a more solemn application
 to the merits of Jesus Christ, through which
 alone we can obtain them.

In following this practice, the Roman Catholic rests, in the first place, as in all other points, secure in the confidence he has in Christ's promise, that his church shall not teach error: Secondly, In the uninterrupted usage of all ages of Christianity: And, Thirdly, In his own reason, which seems to direct him maturely to proffer his petition to his Creator, in conjunction with those, who have a greater claim to his favours than himself. He believes generally that by the divine ordination, institution, and appointment, the Saints and Angels in Heaven may succour and defend us upon earth, and that therefore it is useful to invoke their aid and assistance *. In as much as this part of a

* In this spirit and reason, I presume, the established church uses the following prayer in the collect for St. Michael, (Vid. Book of Common Prayer) “ O everlasting God, who hast ordained and constituted the services of angels and men in a wonderful order; mercifully grant, that as thy holy angels always do thee service in heaven; so by thy appointment *they may succour and defend us on earth!*”

Roman Catholic's religion can affect his social or civil character, it must be allowed, that the serious veneration and invocation of the saints in Heaven, by individuals here on earth, must be productive of a desire and endeavour in the latter, to emulate the heroic virtues and perfections of the former.

As I have undertaken to shew, that the Roman Catholic religion teaches no one point of doctrine, that does not greatly tend to render its followers loyal, dutiful, and peaceable subjects; I should be guilty of a very capital and material omission, if I did not also shew, that it teaches no one point of doctrine, which discourages, damps, or stifles that principle of love and charity, which is the bond, union, and soul, of social life.—The church of Rome has been much censured and condemned for the arrogant and proud illiberality, with which she is supposed to adjudge and condemn all out of her communion of the guilt of Heresy in this life, and consign them for it to eternal damnation in the next.—I readily admit, that a principle so truly uncharitable, and at the same time so thoroughly unwarrantable, would be productive of a spirit of misanthropy, totally repugnant to that spirit of humility, meekness and love, which our blessed Redeemer came upon earth to instil into mankind.

It

It appears singularly strange to me, that Roman Catholics should be arraigned for this doctrine of exclusive salvation, which is by no means peculiar to themselves. I will beg leave to state what the doctrine of the established church of England is upon this subject, and then humbly submit what the Roman Catholic church teaches and obliges her members to believe and practise upon it.

Upon all the most solemn festivals in the year, the Creed of St. Athanasius makes part of the Liturgy of the Church of England: and the minister and people join in professing that,—“ Whosoever will be saved, “ before all things, it is necessary that he “ hold the Catholic faith: which faith, ex- “ cept every one do keep whole and un- “ defiled, without doubt he shall perish “ everlastinglly.”—And finally,—“ This is “ the Catholic faith, which, except a man “ believe faithfully, he cannot be saved.”— And in the Eighteenth of the Thirty-nine Articles of their religion, it is expressly faid, that—“ They also are to be cursed, that “ presume to say, that every man shall be “ saved by the law or sect, which he pro- “ fesseth, so that he be diligent to frame his “ life, according to that law and the light “ of nature.”—

The Roman Catholic church teaches, after St. Paul, that there is but *one* God, *one* Faith,

Faith, *one* Baptism; and that heresy, which is defined to be a voluntary and *obstinate error of the mind against the true faith*, and that schism, which is defined to be *an obstinate separation from the unity of the church of Christ*, are sins, which will certainly for ever exclude those, who die guilty of either of them from the kingdom of Heaven. Faith we hold to be a supernatural gift infused into us by Almighty God, which man cannot by his own strength acquire. We all receive, by Christian baptism, the true faith of Jesus Christ; and we must *voluntarily and obstinately reject* this faith, before we can be guilty of the sin of heresy. We are by baptism true members of the church of Christ, until we freely and knowingly *reject* this faith, by *voluntarily and obstinately adhering to false doctrines and opinions*, in defiance of the light of the true faith: consequently, before a man can be accountable for the malice of that sin, he must *voluntarily and obstinately reject* a faith, which he knows to be true, and adopt another, which he knows to be false. Our belief in religious mysteries, to be true, must be conformable to the existence of the mysteries in which we believe; and to be thus conformable, it must be one and invariably the same, as the mysteries themselves are of eternal stability: hence the necessity of unity of faith, which the Roman Catholic church ever has, and ever

ever will teach to be requisite for salvation : and hence the severity of her judgment against heresy, which is defined, as I before observed, to be a *voluntary and obstinate error of the mind against the true faith.*

“ The Scripture describes the church to
 “ be as one flock, one body made up indeed
 “ of different parts, but all united in the
 “ same faith, and with such a due subordi-
 “ nation, that while it was to be spread
 “ throughout the world, yet it was to retain
 “ the order and beauty of one spiritual go-
 “ vernment; hence all the members of it
 “ were commanded to be united not only in
 “ faith, but also in charity and obedience;
 “ and these injunctions are laid so strictly
 “ by the express order of Christ, its head,
 “ that all divisions both in faith and govern-
 “ ment, that is *heresy* and *schism*, are set
 “ down as sins, which divide from the head,
 “ and exclude from all hopes of salvation *.”

Thus is the church equally tenacious of her government as of her *faith*; and as rigorous in her judgment for the violation or resistance of the former, as for the denial and abandonment of the latter. All the holy fathers are unanimous in their judgment of the sin of schism. St. Augustin particularly says, †“that though

* Gother's Works, 7 vol. p. 438.
 † De Unitat. Eccles. c. 4.

“ men

“ men believe all the scriptures, and every article of the faith of Christ, yet, if they so disagree with his body, which is the church, that they have no communion with the whole, wherever diffused, but only with some part, which is separated; ‘tis evident they are not in the Catholic church. And * none can arrive to salvation and life everlasting, except he has Christ for his head: but none can have Christ for his head, unless he be in his body, which is the church.” And he further says, † “ Being out of the pale of the church, separated from its unity and bond of charity, thou wouldest not escape damnation, though thou shouldest be burnt alive in confession of the name of Christ.”

We believe, as well as the Church of England, what St. Athanasius says of the necessity of believing the Catholic faith, in order to be saved, to be eternally true; yet, we are far from condemning to eternal perdition, every person, who is called a member of any other, than the Roman Catholic church. We believe, that every man, who, after receiving Christian baptism, shall not have forfeited his baptismal innocence by any grievous offence, or having forfeited it, shall have been reconciled to the grace of Almighty

* De Unitat. Eccle. c. 19.

† Ep. 204. ad Don. Prefl.

God,

God, by a perfect act of contrition, let him be supposed, or called of whatsoever sect, church, or congregation, he may, yet such a man is within the pale of the true church of Christ, and rightfully intitled to the kingdom of Heaven ; and if I may be allowed to speak my own private sentiments, as an individual, without pretending to fathom the decrees of Providence, I strongly believe, that fewer souls perish for the sin of heresy, than for other crimes and offences. We are taught not to anticipate, nor in any manner to presume to fathom the judgments of Almighty God upon our fellow-creatures. We are instructed, and we are bound by our duty, whenever we do apply our thoughts to the difference of our neighbour's religion from our own, to look upon them individually, to be in a constant and habitual inclination, and desire of knowing and following the true faith of Jesus Christ ; nor that any worldly or human motive, prejudice, or reason whatsoever, would induce them to reject or resist the true faith, if they were convinced, as we are, that it was only taught and believed, by the Roman Catholic church ; for it is impossible, that any person, having this inclination and desire, and acting according to it, should be guilty of the sin of heresy.

That such reasons, or motives or inducements for rejecting or resisting the light of the true faith, are not merely chimerical, ap-

pears from what St. John says of certain persons, whilst our blessed Redeemer was himself upon earth : (John, xii. 42. 43.) *By reason of the Pharisees, they did not confess him : for they loved the glory of men more than the glory of God.* No Roman Catholic can, without being guilty of the sin of rash judgment against his neighbour, (which he must repent of, and atone for, before he can enter the kingdom of Heaven) apply or attach any such reasons or motives to his neighbour : because the circumstances, upon which the guilt of an individual depends, can only be known to God and himself. We are no more warranted to judge our neighbour guilty of the malice of the sin of heresy or schism, than of any other sin, for which he might be eternally punished. In fact, we are less warranted to make such a judgment upon our neighbour's guilt of those sins, which depend upon the affection of the mind and heart, such as are *heresy* and *schism*, than of others which depend upon material acts, as murder, adultery, &c. *

The Roman Catholics, as I presume every other church does, allow their church to appoint, and ordain feasts and fasts, and ge-

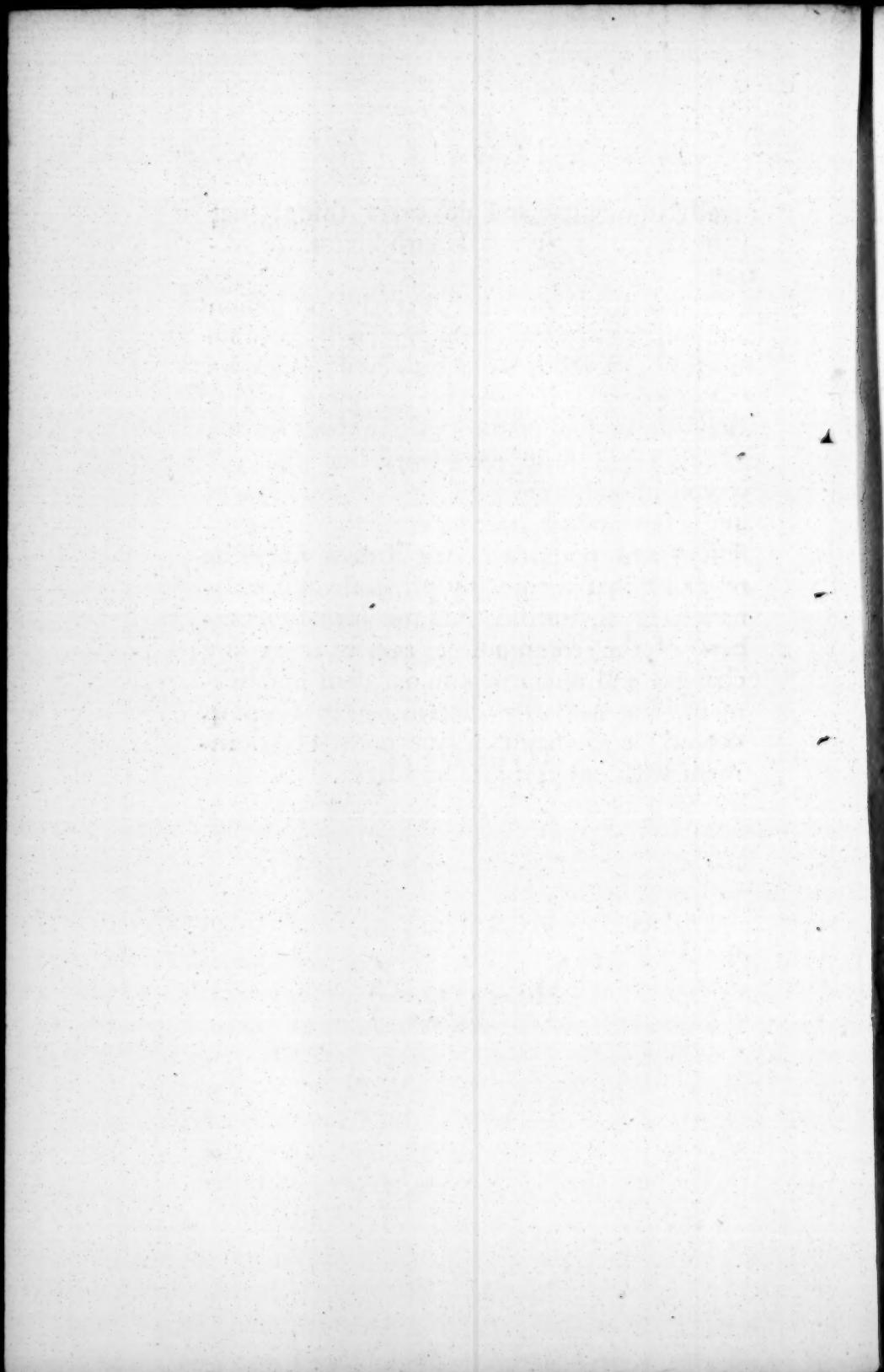
* Goth. 7. vol. 446. " We cannot tell how far invincible ignorance may excuse, or what may be the true dispositions or desires of those that die, and whether in heart they may not interiorly be united to the church ; therefore none ought to pronounce of any in particular, but we must leave it to God to judge, to whom judgment belongs."

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nerally to regulate and do every thing, that is merely of a spiritual jurisdiction, or nature.

If it will be allowed, that the profession and practice of a man's religion, will, in some measure, affect his social and civil principles and conduct : if even his religious prejudices can be supposed to give a bias to his mind, I am fully confident, that the government and public of this country, will find a sure and satisfactory earnest in our profession and practice of the Roman Catholic religion, that we are, by principle and inclination, loyal, dutiful, and subordinate members of the community, averse from any changes and alterations in our civil establishment, and stedfastly determined to support, defend, and maintain our present government with our fortunes and lives.





P A R T II.

IT never can appear a matter of surprize to an Englishman, that any measure, which depends upon the concurrence of many individuals, should meet with an opposition, before it is brought to a conclusion. Any apology, therefore, for such an opposition from and to Englishmen would be ill judged. The unity of faith, which subsists amongst all Roman Catholics, though it may tend to promote, does not necessarily produce, an union of the tempers, dispositions, and interests of its followers.

For these two last centuries, the English Roman Catholics have subsisted in a body, connected and united—not only by the tenets of their faith, which they cannot alter, but by a common chain of oppression, obloquy and persecution, which they could neither soften nor remove. To become now the objects of the kindness and protection of government, the subjects of liberal debate in Parliament, to be incorporated

incorporated with the community of their countrymen and fellow citizens, were to them circumstances as new, as they were gratifying. Elated with a confidential assurance of their approaching emancipation, already did they anticipate the rights of that civil liberty, to the possession of which they were not yet admitted by law. They spoke, wrote, and acted with the same confidence and freedom, as if no penal nor oppressive statute still bore upon them. And the candor of an indulgent public allowed them large credit for the injudicious exercise of a freedom not yet their own.

I am but too sensible of the relative insignificance, which our body bears in the state: yet as the nation has, in her indulgent liberality, thought fit to take our past grievances under her consideration, and grant us the redress we applied for, I shall seek no other apology, for submitting this statement of our case to their judgment, than the right, which every Englishman claims, on all occasions of accusation, suspicion, or misrepresentation, to be heard by that court, which is to pronounce his sentence.

The indulgent public has submitted to be importuned with a great variety of publications upon the subject of the dissention, that had unfortunately split the body of Roman Catholics in England into two separate, and apparently opposite parties: I by no means shall

shall attempt to revive the controversy: but I shall submit to the consideration of an impartial public; the views, grounds, and motives, which induced the more numerous part of the English Roman Catholics to act in opposition to the gentlemen of the committee, whilst the bill was pending before parliament. In as much as the impartiality of the legislature has already approved of all their attempts, by acceding to all their petitions and applications, I should have thought it useless to enter into a justification, or rather an impartial detail of their proceedings, if the gentlemen of the committee had not, in the different stages of the business, published to the world at large such a representation of their own proceedings, as certainly involves not only an indirect censure upon the opposite party, but the most studied, pointed, and violent condemnation of their opposition. I shall therefore confine myself to such points only, as the gentlemen of the committee themselves have thought proper to bring before the public; and, lest I may become guilty of the partiality, which is rarely separable from a partisan, I shall endeavour to advance, or prove, nothing in our own favour, but from the words of the opposite party, or from the facts, which are known to the whole nation. It pains me to use the word *party*: but I again repeat, that the opposition of the interests, which on this occasion were endeavoured to

E be

be supported, neither arose from difference of opinion upon any point of religious doctrine, nor from a difference of disposition towards the government, which has manifested such benignity towards us. For confident I am, that every individual of each party then was, and now is, ready to subscribe to that exposition of the Roman Catholic Faith, which I have already set forth: and equally ambitious to give the most satisfactory test of their civil duty and allegiance to government, which they thought compatible with the tenets of their faith.

I allow that a public, uninformed of the reality of all the circumstances attending the passing of this act, and much more a public, misled by a false representation of them, should suppose, that the persons called the Committee of English Catholics, were delegated and commissioned by the body at large, and were, therefore, fully authorised to negotiate the whole business on behalf of the body. The consequence of such a supposition, would naturally be a condemnation of such Roman Catholics, as should disapprove, resist, or oppose their proceedings. Now it is very notorious, that by far the greater number of English Roman Catholics, both clergy and laity, did disapprove, resist, and oppose the proceedings of the Committee; and I feel it a duty incumbent upon me, to apprise the public, faithfully and impartially,

of

of the motives, inducements, and reasons, for their so doing*. In the course of my statement, I shall endeavour to avoid all personalities: and I now, once for all, declare, that I allow to those, from whose opinion, on this occasion, I happen to differ, the full merit of a general upright intention to ren-

* I beg pardon for bringing the consideration of so insignificant an individual as myself before the public. Some years ago, at a public meeting of the English Roman Catholics, I had expressed my disapprobation of some public acts of the Committee. This, I perceived and was informed, gave displeasure, if not offence. From that time I attended no more such meetings, and I remained so uninformed of the progress of the business, that, till last November, I was absolutely ignorant of the dissensions, that existed in the body upon this subject; nor had I even heard of one of the publications that had been made upon it. The printed heads of the bill, intended to be brought into parliament, were accidentally left at my house by a private friend; and when I read over the form of the oath contained in them, I was sorry to find, that it was of such a tendency, that I must in conscience refuse to take it. I felt a conviction, that government did not mean to withhold its bounty from me, nor from any, that should think as I did. I foresaw all the consequences, which this new and double recusancy would bring upon me; and I submitted to the consideration of the Apostolic Vicar of the London District the nature of my objections against the oath. I then learned, for the first time, that he, as well as the Apostolic Vicars of the Western and Northern Districts, and all the Roman Catholics, who chose to abide by their opinion, did find the oath substantially objectionable; and I was, from that time, commissioned by the Apostolic Vicars of the London and the Northern Districts, professionally, and otherwise, to endeavour to negotiate such alterations in the oath, as would render it orthodox, and admissible to all Roman Catholics unexceptionably, and such amendments in the bill, as would prevent any division or separation of the body. In the execution of this commission I acquired the information, which I now think it but justice to my employers, and myself, to lay before the public.

der service to the body, and satisfaction to government. I am, however, sensible, that I tread upon the most tender and delicate ground.—I am aware, that in the controversies upon this subject, which have heretofore been published, facts have been roundly asserted by one party, that have been flatly denied by the other; both parties have complained in their turns of equal misapprehensions and misrepresentations; and each have alternately accused the other of views, motives, and designs, in their proceedings, which have been as constantly disavowed, denied, or retorted upon the accusers. It is not unlikely that in my turn, I also may be hereafter arraigned for misapprehension or misrepresentation of the very case I now am stating to the public. I disavow any intention of misrepresenting it: and hope, as the contest is now happily terminated, that I shall not be liable to the inconsiderate heat of a combatant, but, actuated only by the cool maxims of the historian, *ne quid falsi dicere audeat, ne quid veri non audeat*. If however any thing should fall from my pen, that may seem to throw reflection, blame, or censure, upon the gentlemen of the committee, either collectively or individually, I have said it, because I have thought it requisite and necessary to set forth truly, or vindicate the honour, dignity, and respectability of the party, who opposed them.

I hope,

I hope, as I have before said, that an idea will not be conceived by any one, that because we have thought that an oath, which others were ready to take, was not strictly conformable with the doctrine of our faith, therefore was that faith renounced or abandoned by those, who thought the oath admissible. We all agreed in the doctrine, but differed as to the conformity of the oath with that doctrine. It is the duty of an historian to represent the persons, whose actions he relates, as truly and faithfully as the actions themselves. By far the greatest number of the English Roman Catholics of rank and fortune have, throughout the whole of the business, sided with the committee; though some of that description have, from the beginning, disallowed their commission, others have remained totally inactive; and some few have, latterly, appeared in open opposition to their measures. On the other side, the four apostolical vicars, by far the greatest number of the Roman Catholic clergy, some persons of rank and fortune, and by far the greatest number of the middling and lower classes of Roman Catholics, have been driven to the mortifying necessity of publicly opposing the measures of the committee; and their opposition, thanks (under God) to the liberality and wisdom of parliament, has been crowned with the most signal success.

I do

I do not undertake to trouble the public with a scandalous or inflammatory detail of the difference or dissention, that unfortunately on this occasion divided our body : I shall confine my narration to such facts only, as have already been brought before the public, and which therefore ought to be fully known, that a faithful judgment may be passed upon them. I wish I had the means, as well as the inclination, to confine to eternal oblivion this unhappy dissention. Never can we sufficiently admire and extol the redundant generosity of parliament, which not only disdained to take advantage of our distracted state, but so modelled their favour as to heal our wounds.

The first act, which brings us into public, is the protestation ; which, as the gentlemen of the committee say with truth, " was " signed by all the apostolic vicars * and " their coadjutors, and, with few exceptions, indeed, by all the clergy, and by all " the laity of any consequence in the kingdom of England †." And they further tell us, that " the signing of the protestation was attended with the most salutary

* 2d Blue Book, p. 3. It is requisite here to mention, that the gentlemen of the committee published, at different times, two Blue Books, as justificative pieces of their own conduct, and circulated them *gratis* throughout the nation.

† Both the vicars of the northern and London districts have been appointed since the signing of the protestation.

" effects ;

" effects ; prejudices against us rapidly subsided, and, as men and citizens, we found ourselves beginning to be restored to the confidence and affection of the public." As I shall frequently have occasion hereafter to refer to this protestation, I think it adviseable to submit a copy of it to the public inspection. It was signed by 1523 persons of rank, fortune, and respectability :

Protestation.

We whose Names are hereunto subscribed, Catholics of England, do freely, voluntarily, and of our own accord, make the following solemn Declaration and Protestation,

Whereas sentiments unfavourable to us, as citizens and subjects, have been entertained by English Protestants, on account of principles, which are asserted to be maintained by us, and other Catholics, and which principles are dangerous to society, and totally repugnant to political and civil liberty ; it is a duty that we, the English Catholics, owe to our country as well as to ourselves, to protest, in a formal and solemn manner, against doctrines that we condemn, and that constitute

tute no part whatever of our principles, religion, or belief.

We are the more anxious to free ourselves from such imputations, because divers Protestants, who profess themselves to be real friends to liberty of conscience, have nevertheless avowed themselves hostile to us, on account of certain opinions which we are supposed to hold; and we do not blame those Protestants for their hostility, if it proceeds (as we hope it does) not from an intolerant spirit in matters of religion, but from their being misinformed as to matters of fact.

If it were true that we, the English Catholics, had adopted the maxims that are erroneously imputed to us, we acknowledge that we should merit the reproach of being dangerous enemies to the state; but we detest those unchristianlike and execrable maxims; and we severally claim, in common with men of all other religions, as a matter of natural justice, that we, the English Catholics, ought not to suffer for or on account of any wicked or erroneous doctrines that may be held by any other Catholics, which doctrines we publicly disclaim, any more than British Protestants ought to be rendered responsible for any dangerous doctrines that may be held by any other Protestants, which doctrines they, the British Protestants, disavow.

I. We

I.

We have been accused of holding as a principle of our religion, that princes excommunicated by the Pope and Council, or by authority of the See of Rome, may be deposed or murdered by their subjects, or other persons.

But, so far is the above-mentioned unchristianlike and abominable position from being a principle that we hold, that we reject, abhor, and detest it, and every part thereof, as execrable and impious; and we do solemnly declare, that neither the Pope, either with or without a general council, nor any prelate, nor any priest, nor any assembly of prelates or priests, nor any ecclesiastical power whatever, can absolve the subjects of this realm, or any of them, from their allegiance to his majesty king George the third, who is, by authority of Parliament, the lawful king of this realm, and of all the dominions thereunto belonging.

II.

We have also been accused of holding, as a principle of our religion, that implicit obedience is due from us to the orders and decrees of Popes and General Councils; and that, therefore, if the Pope, or any General Council, should, for the good of the church, command us to take up arms against government,

ment, or by any means to subvert the laws and liberties of this country, or to exterminate persons of a different persuasion from us, we (it is asserted by our accusers) hold ourselves bound to obey such orders or decrees, on pain of eternal fire.

Whereas we positively deny, that we owe any such obedience to the Pope and General Council, or to either of them. And we believe, that no act, that is in itself immoral or dishonest, can ever be justified by, or under colour that it is done, either for the good of the church, or obedience to any ecclesiastical power whatever. We acknowledge no infallibility in the Pope; and we neither apprehend nor believe, that our disobedience to any such orders or decrees (should any such be given or made) could subject us to any punishment whatever. And we hold and insist, that the Catholic Church has no power that can, directly or indirectly, prejudice the rights of Protestants, inasmuch as it is strictly confined to the refusing to them a participation in her sacraments, and other religious privileges of her communion; which no church (as we conceive) can be expected to give to those out of her pale, and which no person out of her pale will, we suppose, ever require.

And we do solemnly declare, that no church, nor any prelate, nor any priest, nor any assembly of prelates or priests, nor any ecclesiastical

ecclesiastical power whatever, hath, have, or ought to have, any jurisdiction or authority whatsoever within this realm, that can, directly or indirectly, affect or interfere with the independence, sovereignty, laws, constitution, or government thereof, or the rights, liberties, persons, or properties, of the people of this realm, or of any of them, save only and except by the authority of parliament ; and that any such assumption of power would be an usurpation.

III.

We have likewise been accused of holding, as a principle of our religion, that the Pope, by virtue of his spiritual power, can dispense with the obligations of any compact or oath taken, or entered into by a Catholic ; that therefore, no oath of allegiance, or other oath, can bind us ; and, consequently, that we can give no security for our allegiance to any government.

There can be no doubt, but that this conclusion would be just, if the original proposition, upon which it is founded, were true ; but we positively deny, that we do hold any such principle ; and we do solemnly declare, that neither the Pope, nor any prelate, nor any priest, nor any assembly of prelates or priests, nor any ecclesiastical power whatever, can absolve us, or any of us, from, or dispense

pense with, the obligations of any compact or oath whatsoever.

IV.

We have also been accused of holding, as a principle of our religion, that not only the Pope, but even a Catholic Priest, has power to pardon the sins of Catholics, at his will and pleasure; and therefore, that no Catholic can possibly give any security for his allegiance to any government, inasmuch as the Pope, or a priest, can pardon perjury, rebellion, and high treason.

We acknowledge also the justness of this conclusion, if the proposition upon which it is founded were not totally false; but we do solemnly declare, that, on the contrary, we believe that no sin whatever can be forgiven at the will of any Pope, or of any priest, or of any person whomsoever, but that a sincere sorrow for past sin, a firm resolution to avoid future guilt, and every possible atonement to God, and the injured neighbour, are the previous and indispensable requisites to a well-founded expectation of forgiveness.

V.

And we have also been accused of holding, as a principle of Religion, that, "Faith is not to be kept with heretics," so that no government,

government, which is not catholic, can have any security from us, for allegiance and peaceable behaviour.

This doctrine, that, "Faith is not to be "kept with heretics," we reject, reprobate, and abhor, as being contrary to religion, morality, and common honesty. And we do hold, and solemnly declare, that no breach of faith with any person whomsoever, can ever be justified by reason of, or under pretence, that such person is an heretic or infidel.

And we further solemnly declare, that we do make this declaration and protestation, and every part thereof, in the plain and ordinary sense of the words of the same, without any evasion, equivocation, or mental reservation whatsoever.

" And we appeal to the justice and candour " of our fellow citizens, whether We, the " English Catholics, who thus solemnly dis- " claim, and from our hearts abhor, the " above mentioned abominable and unchrif- " tian like principles, ought to be put upon " a level with any other men, who may hold " and profess those principles *.

The committee further tell us (*ubi supra*)
" That persons in power, who interested

* " This protestation, we are told by the committee (1 Blue Book, p. 13), was generally signed and presented to both houses of parliament as the pledge of our honour, and the public Monument of our Uprightness."

" them-

" themselves in our behalf, thought it ex-
 " pedient, and required from us, that the pro-
 " testation should be altered to the form of an
 " oath, and substituted in the bill, in
 " lieu of the oath of 1778." And they
 continue, by saying, " To an instrument of
 " this solemnity what was wanting, but the
 " Form, to give it the essence of an oath! In
 " the face of God and the nation, the apo-
 " stolical Vicars had signed it; could they
 " have an objection to call God to witness a
 " repetition of their signatures? This was
 " all they would do, when tendered to them
 " as an oath." Who would not conclude,
 from this statement of the committee, that
 when they had reduced or compressed this
 protestation into the form of an oath, they
 were both perfectly co-extensive in their im-
 port and tendency? In order, however, that
 others may from an impartial judgment of
 their similarity, I will subjoin the form of the
 oath, into which the protestation was sup-
 posed to be reduced: for it was upon the form
 of this oath the whole controversy arose between
 the gentlemen of the committee, and those who
 differed from them. Whatsoever alterations
 or amendments were after this time admitted
 into the oath, were made at the pressing in-
 stance, and urgent solicitations of the oppo-
 site party. For at this period it was, that the
 committee said, " here then for the moment
 was the ultimatum of government."

" I A.

“ I A. B. do sincerely promise and swear,
“ that I will be faithful, and bear true alle-
“ giance to Majesty
“ And I do truly and sincerely acknow-
“ ledge, profess, testify, and declare, in my
“ conscience, before God and the world,
“ that our sovereign
“ is lawful and rightful
“ of this realm, and all other
“ Majesty's dominions there-
“ unto belonging: and I do solemnly and
“ sincerely delare, that I do believe in
“ my conscience, that not any of the descen-
“ dants of the person, who pretended to be
“ Prince of Wales, during the life of the
“ late King James the second, and after his
“ decease pretended to be, and took upon
“ himself the style and title of King of Eng-
“ land, by the name of James the third, or
“ of Scotland, by the name of James the
“ eighth, or the style and title of King of
“ Great Britain, hath any right or title what-
“ soever to the crown of this realm, or any
“ dominions thereunto belonging, and I
“ renounce, refuse, and abjure, any alle-
“ giance or obedience to any of them; and
“ I do fwear, that I willbear faithful and true
“ allegiance to Majesty
“ and will defend
“ to the utmost of my power, against all
“ traitorous conspiracies and attempts what-
“ soever, which shall be made against
“ person,

“ person, crown, or dignity ; and I will do
“ my utmost endeavour to disclose and make
“ known to Majesty
“ . and successors, all
“ treasons and traiterous conspiracies, which
“ I shall know to be against
“ and I do faithfully and fully promise, to
“ the utmost of my power, to support, main-
“ tain, and defend the succession of the crown
“ against the descendants of the said James,
“ and against all persons whatsoever ; which
“ succession, by an act, intituled, ‘An act
“ for the further limitation of the crown,
“ and better securing the rights and liberties
“ of the subject, is, and stands limited to
“ the Princess Sophia, Electress, and Duchess
“ Dowager of Hanover, and the heirs of her
“ body being protestants :’ And I do swear,
“ that I do, from my heart, abhor, detest,
“ and abjure, as impious and heretical, that
“ damnable doctrine and position that Prin-
“ cess excommunicated or deprived by the
“ Pope, or any authority of the see of Rome,
“ may be deposed or murdered by their sub-
“ jects, or any other persons whomsoever ;
“ and I do protest and declare, and do so-
“ lemnly swear it to be my most firm and
“ sincere opinion, belief, and persuasion,
“ That neither the Pope, nor any general
“ council, nor any priest, nor any ecclesias-
“ tical power whatsoever, can absolve the
“ subjects of this realm, or any of them, from
“ their

“ their allegiance to said Majesty :
“ and that no foreign prince, persons, pre-
“ late, state, or potentate, hath, or ought
“ to have, any civil jurisdiction or authority
“ whatsoever within this realm, or any spi-
“ ritual authority, power, or jurisdiction
“ whatsoever within this realm, that can,
“ directly or indirectly, affect or interfere
“ with the independence, sovereignty, laws,
“ or constitution of this kingdom, or with
“ the civil or ecclesiastical government there-
“ of, as by law established, or with the rights,
“ liberties, persons, or properties of the
“ subjects thereof : and that no person can
“ be absolved from any sin, nor any sin what-
“ ever be forgiven at the pleasure of any pope,
“ or of any priest, or of any person whom-
“ soever ; and that no breach of faith with,
“ or injury to, or hostility against any per-
“ son whomsoever, can ever be justified by
“ reason, or under pretence, that such person
“ is an heretic or an infidel ; and that neither
“ the Pope, nor any prelate, nor any priest,
“ nor any assembly of prelates or priests, nor
“ any ecclesiastical power whatever, can, at
“ any time, dispense with, or absolve me
“ from the obligations of this oath, or
“ of any other oath, or of any compact
“ whatsoever ; and I do also in my con-
“ science declare, and solemnly swear, that
“ I acknowledge no infallibility in the Pope ;
“ and all these things I do plainly and fin-

F “ cerely

" cerelily declare, acknowledge, and swear,
 " according to these express words by me
 " spoken, and according to the plain and or-
 " dinary sense of the same words, without
 " any equivocation, mental evasion, or se-
 " cret reservation whatsoever; and I do
 " make the aforesaid protestation, declara-
 " tion, recognition, acknowledgment, ab-
 " juration, renunciation, promise, and oath,
 " heartily, willingly and truly, upon the
 " true faith of a Christian. So help me
 " God."

Such is the oath, of which the committee
 speak in this unequivocal manner * " An
 " oath, which, in its effects and tendency, is
 " a mere profession of temporal allegiance,
 " and repetition of that protestation, which
 " all the vicars with their coadjutors and
 " clergy had signed but a few months be-
 " fore." — And, in order to impress the
 minds of the public with the idea, that the
 protestation and the oath are perfectly syno-
 nymous; they tell us most emphatically,
 that †, " From this we cannot recede
 " without prevarication. " The solemnity
 " of an oath can add nothing to the obliga-
 " tion of a deliberate and public protesta-
 " tion." The oath therefore followed the
 " public protestation as a thing of course, and

* 2d Blue Book p. 5.

† 1st Blue Book p. 13.

" since

" since it does not in any *one particular deviate essentially from* the protestation, it
 " consequently forms one and the same
 " instrument." Whatever, therefore, can
 with truth be said substantially of one, may
 be said substantially of the other. The com-
 mittee further inform us, that, * " as
 " soon as they had received the protestation,
 " they directed it to be forwarded imme-
 diately to the vicars apostolic, and *requested*
 " *their opinion on the lawfulness of signing it.*"
 —And in so doing they assume a great degree
 of merit, for † " The extreme deference
 " and attention, which, throughout the whole
 " course of this business, they had paid to the
 " apostolic vicars. *We never (say they) assumed to approve or disapprove of it, as far as it related to doctrines.*" Can there be a
 more direct avowal, that the protestation
 and oath did relate to doctrines: and can
 there be a proposition more uncontrovertible
 than this? *The oath, which relates to doctrine, cannot be in its effects and tendency a mere profession of temporal allegiance.*—The two grand
 data or principles, upon which the opposers
 of the committee rest their grounds of opposi-
 tion to their measures, are these very points,
 which are expressly allowed by the committee
 themselves; first, that the oath did relate to

* 2d Blue Book p. 2.

† Ibidem.

doctrine; secondly, that the committee ought not to assume to judge of it, as far as it related to doctrines.

I may here remind my reader, once for all, that that these two blue books were published with the unanimous consent and approbation of the whole committee, and that therefore the committee, and all their supporters, are committed and concluded by them.

It is not my intention to revive the controversy of the admissibility of the foregoing form of the oath. But in justice to those, who had signed the protestation, and refused to take the oath, which the gentlemen of the committee call *one and the same instrument*, I think myself warranted in calling the attention of my readers to one most essential variation in the oath, from the tendency, sense and words of the protestation. Without comment, I appeal to every impartial reader, whether by this abstract proposition, *I acknowledge no infallibility in the Pope*, which is contained in the oath, the full and just meaning and sense is expressed by the following part of the protestation.

II. " We have also been accused of holding as a principle of our religion, that implicit obedience is due from us to the orders and decrees of Popes and general councils; and that, therefore, if the Pope, or any general council should, for the good of the church, command us to take up
" arms

" arms against government, or by any means
 " to subvert the laws and liberties of this
 " country, or to exterminate persons of a
 " different persuasion from us, we (it is af-
 " fered by our accusers) hold ourselves
 " bound to obey such orders or decrees on
 " pain of eternal fire.

" Whereas we positively deny, that we
 " owe any such obedience to the Pope and
 " general council, or to either of them :
 " and we believe that no act that is in itself
 " immoral or dishonest can ever be justified
 " by, or under colour that it is done, either
 " for the good of the church, or in obedi-
 " ence to any ecclesiastical power whatever.
 " We acknowledge no infallibility in the
 " Pope ; and we neither apprehend nor be-
 " lieve, that our disobedience to any such
 " orders or decrees (should any such be given
 " or made) could subject us to any punish-
 " ment whatever. And we hold and insist,
 " that the Catholic Church has no power
 " that can, directly or indirectly, prejudice
 " the rights of Protestants, inasmuch as it
 " is strictly confined to the refusing to them
 " a participation in her sacraments, and
 " other religious privileges of her commu-
 " nion ; which no church (as we conceive)
 " can be expected to give to these out of her
 " pale, and which no person out of her pale
 " will, we suppose, ever require."]

In

In that sense, which alone the context of the protestation warrants, every Roman Catholic would be ready to declare against the infallibility of such decrees of Popes and councils as are there mentioned ; and that, therefore, no obedience is due to them. In this, as in the obvious sense of the protestation, did I sign it ; and am ready to repeat my signature. For it is evident by the protestation, that we mean, and intend to deny or repel the charge of paying implicit obedience to the decrees of Popes and general councils, even in what is sinful and wicked, because we deem them infallible ; that is, because we think that their having decreed the thing makes it cease to be sinful or wicked. This I submit to my readers, is the real, and, in fact, the only sense of the protestation. I certainly shall not be judged rash or presumptuously didactic in making this assertion : for the Rev. Mr. Reeve, who appears to be the avowed champion of the committee, in the work, which he wrote in defence of the oath, most unanswerably proves this to be the sense of the protestation*.

“ The

* A view of the oath intended by the Legislature to the Roman Catholics of England, pag. 45, 46, 47. As this author tells us in his preface, *that he has read most of the correspondence and original papers he treats of ; and that these are the vouchers he has ready to produce in support of the facts he mentions ; we conclude from the admission to the use and the command of the production of these vouchers, the author to be either*

" The adversaries of the Roman Catholic
 " Creed have been so much in the habit of
 " magnifying and misconstruing doctrines to
 " our prejudice, that the most harmless
 " points of theory have been frequently
 " transformed by their excessive fears into
 " frightful monsters. Even the Pope's in-
 " fallibility has been echoed through the
 " land, and by some magic sound, as it
 " were, has been called forth like a horrid
 " spectre to spread terror amongst the de-
 " luded multitude. But the figure is exhi-
 " bited in such exotic colours, and distorted
 " in so strange a manner, that it bears no re-
 " semblance with any thing ever known to
 " Catholics by the name of infallibility. To
 " justify the assertion, we need but present it
 " in the shape, in which it has been drawn by
 " a Protestant pen, and offered to us in the
 " public protestation we signed. The Pope's
 " infallibility is there introduced under the
 " notion, that we believe the Pope can do or
 " command nothing wrong; and that, by the
 " principles of our religion, we therefore hold
 " implicit obedience, as it is pretended, to be
 " due from us to all orders of the Pope, what-
 " ever they may be. Consequently if the Pope
 " should command us, for the good of the
 " Church, to take up arms against Go-

either the friend, advocate, or servant of the Committee
 and that the work was written and published with their
 consent, and approbation.

" vermine,

“ vernament, or by any means to subvert the
“ laws and liberties of this country, or to ex-
“ terminate persons differing from us in reli-
“ gious tenets, we should hold ourselves
“ bound, as our accusers say, to obey such
“ orders, on pain of eternal fire.

“ Such is the description given by Pro-
“ testants of the Pope's infallibility, and
“ such is the precise object, which, under
“ that appellation, we are called upon to dis-
“ claim. Such is the doctrine, which we
“ are supposed to hold of that dreaded phan-
“ tom, a doctrine pregnant with endless
“ mischief to the state, if we really held it.
“ Under this notion it is classed by the act
“ with other pernicious doctrines, and under
“ this notion it is rejected by us. *Under this*
“ *notion* we sincerely declare, that we ac-
“ knowledge in the Pope no infallibility what-
“ ever. In his words, in his actions, in his
“ writings, in his mandates, in his public and
“ private transactions with men we believe
“ him fallible, and like other princes liable
“ to passion, to error, and mistake. Ca-
“ tholics are not such ideots, as to think any
“ man whatever impeccable on earth, nor
“ yet such bigots as to fancy, that an
“ order from the Pope to do an immoral or
“ dishonest action, can be binding in any
“ case whatever, not even under the colour
“ of its being done for the good of the
“ Church. Far from obeying, in that case,
“ they

“ they would think themselves bound to re-
 “ resist the order, nor do they apprehend,
 “ that their resistance could subject them to
 “ any punishment whatever. Here ends the
 “ political point of view, the sole view and
 “ object of the oath in all its parts.

“ The Pope’s infallibility, as it is usu-
 “ ally understood by Catholic Divines, is
 “ solely confined to the dogmatical decisions
 “ he may fix upon a controverted point of
 “ doctrine canonically brought before him
 “ to be determined, when, after due exami-
 “ nation and discussion with his Divines and
 “ private council, the Pope speaks *ex ca-*
 “ *thedrâ*, as it is termed, to the whole church,
 “ as supreme pastor thereof, and dogmati-
 “ cally decides the point in dispute. Whe-
 “ ther his decision, accompanied with all
 “ these circumstances, be then final, is the
 “ question. It is a question, in which none
 “ but schoolmen ever engage, it being no
 “ where treated of, but in the tracts of spe-
 “ culative theology, and seldom heard of
 “ beyond the precincts of the school: a
 “ question wholly harmless, because purely
 “ speculative and *unconnected with every social*
 “ *and moral duty* of a Christian. Its af-
 “ firmative or its negative may be held with
 “ equal safety to the state. Few there are,
 “ it seems, who ever form a decided op-
 “ nion upon it. In this theological sense it
 “ can be no object of terror to any one, be-

“ cause

" cause in this sense it has no pernicious
 " tendency to hurt or disturb the state. It is
 " no article of Catholic belief. It may now
 " be asked, whether as a Catholic I may
 " lawfully swear, that in the Pope I acknow-
 " ledge no infallibility whatever? Why not?
 " For as Protestants understand it, as men-
 " tioned in the protestation, infallibility is a
 " pernicious doctrine, and as explained by
 " our divines, it makes no article of Catholic
 " belief."

What can be more explicit, and at the same time more true, than that *infallibility, as mentioned in the protestation, is a pernicious doctrine*. And as such, no Roman Catholic will object to renounce it; and they did in fact so renounce it by signing the protestation.—Now, as the gentlemen of the committee profess, that the oath is but a repetition of the protestation, and *consequently forms one and the same instrument*, we must again attend to their explanation of the sense, meaning, and tendency of the word *infallibility*, as used in the oath. " * As to acknowledging no infallibility in the Pope, is it " not expressly said in the Catholic principles, that this is no tenet of our faith? " But if no tenet of our faith, and we even " do not believe it as an opinion, why should " we be restrained from declaring, that we " do not acknowledge it? Especially, as it

" is the control of this principle, that above all
" other considerations, excites the diffidence
" of our Protestant fellow subjects." Now
I appeal to every reader, even the most pre-
judiced, whether this be not an open, express
and unequivocal avowal by the Committee,
that the sense in which the infallibility of the
Pope was intended to have been renounced by
the oath, was that theological, disputed sense,
which their own author says, *has no pernicious*
tendency to hurt or disturb the state; and is no
article of Catholic belief. But this sense of
the word *infallibility*, which leaves it as a
matter of opinion open for every one to hold,
is evidently different from that sense of it, which
makes it a *pernicious* doctrine lawful for no-
body to hold. I hope, I have now proved to
demonstration, that in one most important
article, the oath has materially deviated from
the protestation. There are several other in-
stances, in which they substantially differ
from each other; as will appear to any one,
that will attentively and impartially consider
them. But I gladly avoid entering into re-
dundant proofs and arguments. This will
alone, I hope, serve to analyze the views,
spirit, and judgment, in which the Com-
mittee have undertaken to represent all those to
the Public, who, after having signed the pro-
testation, objected to take the oath. For
thus do they write to the four apostolical
vicars,

vicars, who had condemned the oath, as unlawful to be taken*.

“ An instrument of protestation was then presented to us, containing the objections of Protestants and the answers, which they declared would be satisfactory. We were called upon to sign this instrument;—clergy and laity, we signed.—Are there among us persons capable of receding from their signatures, and prostituting their honour?”

And again—

“ This protestation was converted into the form of an oath. Shall we refuse to swear, when called upon by our country, what we most solemnly protested under our hand-writing? The violation of an oath may accumulate the guilt of perjury on prevarication; but veracity is equally sacred, whether a protestation be made upon honour, or upon oath. *Tantus in te sit veri amor, ut quidquid dixeris, id juratum putas*, was the exhortation of a father of the church, and he must be destitute of Christian sincerity, who thinks he is not equally bound to tell the truth without disguise, when called upon to make a solemn asseveration, as if he had an oath officially tendered him. To recede, therefore, from any part of the protestation, would be a flagrant violation of vera-

* Blue Book, p. 23, 24.

“ city;

" city ; a criminal prevarication ; a mortal
 " wound to the integrity of Catholics, and,
 " consequently, an everlasting confirmation
 " of the prejudice of Protestants, that our
 " religion permits us to use duplicity and
 " equivocation. Is it into this dishonour
 " we are exhorted, nay required, by your
 " Lordships, to plunge ? Does not autho-
 " rity, exerted to effect this purpose, tend to
 " destruction, not to edification ? And if
 " such an authority were submitted to,
 " would not an undue respect for the
 " ministers of religion involve the ruin of
 " religion itself ?—Have your Lordships ma-
 " turely weighed these momentous conse-
 " quences ?"

Remember, gentle Reader, that all this is said by those very persons, who in another place * address the same Apostolic Vicars in these words: " *Thus your Lordships see*
 " *the extreme deference and attention which,*
 " *throughout the whole course of this business,*
 " *we have paid to the Apostolic Vicars. We*
 " *never assumed to approve or disapprove of it*
 " *as far as it related to doctrines.* "

After such accusations, imputations, and insinuations, made and published by the Committee, an English Reader will be surprized, that the accused have so long remained silent upon the subject ; and surely this is a full

* Second Blue Book, p. 3.

apology for my submitting this statement of the case to the public *.

I have been very particular in shewing, in this one instance, that the signing of the protestation did not necessarily induce a consequential obligation of taking the oath. And as I have introduced this subject, I think it a piece of justice due to all those, with whom I have the honour to think on this occasion, to state shortly to the public, that they did not object to those words of the oath, *I acknowledge no infallibility in the Pope*, merely, because they varied and deviated, both verbally and substantially from the protestation, but because, as they are introduced in the oath, they are, first, irrelevant to the purpose, for which we offered, and government accepted of a test of our civil and social prin-

* In the heat of the controversy between the two parties, whilst the Bill was pending in the House of Commons, a certain Baronet, who appeared to have previously communicated with the Committee, represented to the Apostolic Vicar of the London District, that any further printed publications would be of the most fatal consequence to the cause; and they therefore prevailed upon his Lordship, who ever inculcated meekness, peace and harmony, by word and example, to use all his influence with his clergy, to refrain from any further publications pending the business. He recommended (what he could not enjoin) a temporary suspension of the Freedom of the Press. To an obedient and docile clergy, their pastor's wishes had the force of a command. Immediately, however, after this sort of Paper Truce, the gentlemen of the Committee published and circulated a great many hundred copies of their Second Blue Book, which, to every impartial reader, will appear little calculated to establish an union between the two then dissentient parties.

ciples: secondly, because they convey a sense, and go to an extent, which no Roman Catholic is warranted to carry the Denial of the Doctrine; and thirdly, because they would operate to exclude a great number of worthy and respectable Roman Catholics, who hold the doctrine or opinion, that the solemn decrees of the supreme pastor of the church, upon doctrinal matters, are irreformable, from that bounty of the legislature, which was intended to be, and has in fact been extended to all Roman Catholics indiscriminately, who would give that satisfactory test of their duty and loyalty to government which government should think proper to require.

As to the first of these reasons, I am happy in being enabled to draw the confirmation of it from that source, which cannot be questioned nor denied by the opposite party, because their own publications are their own words and sentiments, not hastily nor unadvisedly delivered in the warmth of disputation, but fully considered, and deliberately published. They say of the oath * "It is "only a declaration of the innocence of our "principles in *social* and *civil* concerns. "Our faith is not brought forward in this "oath: the rights of conscience are not "considered: religion is not mingled with

* First Blue Book, p. 12.

" con-

“ concerns of a mere temporal nature: all
“ we are required to swear, is, that we
“ maintain no tenets which can hinder us
“ from faithfully discharging the duties of
“ honest men, and peaceable subjects.” I
leave it to more refined arguers, than I pre-
tend to be, to render this declaration of the
Committee consistent with their former decla-
ration. *We never assumed to approve or dis-
approve of it, as far as it related to doctrines.*
This, however, being the avowed intent of
the oath, all *that* must be irrelevant to it,
which does not answer this intent. But to
prove that the renunciation of this purely
speculative opinion cannot give government
any assurance of our *faithfully discharging
the duties of honest men, and peaceable subjects*,
I will once more repeat the words of their
own select champion: “ It is a question in
“ which none but schoolmen ever engage, it
“ being no where treated of but in the Tracts
“ of Speculative Theology, and seldom heard
“ of beyond the precincts of the school; a
“ question *wholly harmless, because purely
speculative, and unconnected with every so-
cial and moral duty of a Christian.* Its
“ affirmative or its negative may be held
“ with equal safety to the state. Few there
“ are, it seems, who ever form a decided
“ opinion upon it. In this theological sense
“ it can be no object of terror to any man,
“ because in this sense *it has no pernicious
tendency*

“tendency to hurt or disturb the state.” And I have before proved, that in this sense alone was it introduced into the oath.

As to the 2d reason, we dissenters from the oath (since the disagreement from any opinion now makes a dissenter) have heretofore, in print, submitted our grounds of it to the public. The Corner Stone of the Roman Catholic faith, is the doctrine of the infallibility of the Church. Whether this infallibility be vested in the head of the church, or in the body of the church, is a disputed and undetermined point among them ; but they all agree, that a decree of an oecumenical council, with the Pope at the head, upon doctrinal matter, is infallible.---They cannot, therefore, totally disannex the promise of Christ, to teach his church all truth to the end of time, from the head of the church : and consequently do not think themselves warranted in swearing that they admit *no* infallibility in the Pope : for that would be false, if he in any manner partakes of this promise of Christ ; much more so, if that promise were made to St. Peter as to the head of the church, and to his successors in that capacity. They do not, moreover, feel themselves justified in swearing, that the Holy Ghost never has, nor never will inspire the visible head of the Church to teach or enforce the truth of God ; in which case there

G was,

was, or would be, some infallibility in the Pope, inasmuch as what he would declare or teach under such inspiration must essentially be infallible and irreformable: and hence it is inferred, that the Pope has some infallibility in him; and there are many very grave and respectable authors, who allow a portion of it to every Bishop. In a word, to swear that there is no infallibility in the Pope, seems to go to the full extent of swearing, that he is, as head of the church, absolutely incapable, in any possible case, of receiving that influence or direction of the Holy Spirit, which must render the decrees pronounced in consequence of it, eternally true and irreformable. In this sense, infallibility and truth become synonymous: for the truth of the holy Spirit of God must essentially be infallible: and I believe no Roman Catholic will deliberately swear, that he acknowledges no such *truth* in the supreme head of his church.

As to the 3d reason, although it be partly evinced by the two former, and the result of the proceedings of the legislature has now proved, beyond question, that government never intended to make the renunciation of this speculative opinion the necessary and previous condition of their bounty to Roman Catholics; yet it is incumbent upon me to state to the public, such views, motives, and inducements, as must have operated in.

in this regard, upon us Dissenters from the Oath, before Parliament had actually put it out of our power to doubt upon the subject. We were all conscious of our sincere attachment and duty to government: of this most of us had given proof, by taking the oath required by the 18th of his present Majesty. In vain did we seek for a just ground of that exclusive preference and predilection, which government must, in such case, have shewn to one part of the Roman Catholic body over the other. It could neither be the wish, nor the policy of government, to multiply sects in the state: they were too liberal and too enlightened to be seduced into a belief, that the Papists, who were the objects of the penal statutes, which they meant to repeal, formed a different body from persons professing the Roman Catholic religion. They were too just to deal out favours with a partial hand, or to hold out to their country, as persons of dangerous and unsocial principles, the greater number of Roman Catholics, because in rejecting or adopting an oath, which *related to doctrines*, they paid a deference and submission to their spiritual superiors, which they refused to the gentlemen of the committee. And surely a well-ordered government, especially in those levelling days, will not be very forward in discouraging subordination and obedience to superiors lawfully appointed, in order to enforce submission to those,

those, who in a candid moment have confessed their own incompetency to decide upon the matter in question.

Time, as well as circumstances, must be attended to, in order never to deviate from the right line of truth. We are not to lose sight of the oath which was holden out by the committee at that time, as the *repetition of the protestation, and one and the same instrument with it.* This was the form of the oath afterwards condemned by the four apostolical vicars, and must be judged and spoken of in its then form. The propriety of that censure, and the force of all the arguments of the committee, which are drawn from the general signature of the protestation, against those who afterwards refused the oath, are to be judged and determined by its conformity with the protestation, and the evidence of its own intrinsic merit.

The appearance of the oath, in this form, after the public had been taught to believe, that the signing of the protestation was to have been substituted in lieu of any new oath, raised a very natural alarm in the minds of the generality of Roman Catholics. The committee called the oath, the *repetition of the protestation, and averred, that it was one and the same instrument.* This new doctrine could not be relished, by those who perceived the deviation of one instrument from the other, and who, from their own judgment, or from

from a reasonable submission to that of their spiritual superiors, in deciding upon the conformity of an oath with religious doctrines, held the oath unlawful to be taken. The declaration was signed in an extremity of confidence by all, though perhaps hastily by some. When, however, they were told by the gentlemen of the committee, *that the solemnity of an official oath could add nothing to the obligation of a deliberate and public protestation ; and that the oath followed the protestation as a thing of course, and consequently formed one and the same instrument*, they looked back with a more critical and censorious eye upon the instrument they had signed ; and some of them, upon maturer consideration, repented of that excess of confidence, which had betrayed them into a too hasty submission to propositions, which required more deliberation than they had given them. Some persons even wished to withdraw their signatures. At all events, if any one should have felt cause for repenting that he had subscribed this instrument, it certainly became his duty to disavow, and, as far as in him lay, to retract his hasty deed. *Humanum est errare : diabolicum perseverare.*

Those persons, who became dissatisfied at their having signed the protestation, judged of it, I presume, upon its own intrinsic evidence ; the examination of which does not fall within the principle of this publication.

But when we find the gentlemen of the committee addressing the public in the violence of declamation : “ Shall we refuse to swear, “ when called upon by our country, what we most “ solemnly protested under our hand-writing ? “ The violation of an oath may accumulate the “ guilt of perjury or prevarication : but ver- “ city is equally sacred, whether a protestation “ be made upon honour or upon oath. To re- “ cede, therefore, from any part of the protesta- “ tion, would be a flagrant violation of vera- “ city ; a criminal prevarication ; a mortal “ wound to the integrity of Catholics, and con- “ sequently an everlasting confirmation of the “ prejudice of protestants, that our religion “ permits us to use duplicity and equi- “ vocation.” We, who have signed this protestation, and refused the oath, are sum- moned, by every call of honour, justice, and religion, to repel the charge, and expose to the public the mean and infamous falsehood of the imputation. When they address them- selves to the apostolic vicars, who had cen- sured and condemned this oath, who would not have imagined, that they steadily, at least, adhered to facts, to keep them within the line of truth, though they lost sight of pru- dence in the abandonment of all decorum. “ Is it not into this dishonour we are exhorted, “ nay required, by your Lordships to plunge ? “ Does not authority, exerted to this purpose, “ tend to destruction, not to edification ? And “ if

*" if such an authority were submitted to, would
" not an undue respect for the ministers of re-
" ligion, involve the ruin of religion itself?"*

Now this very oath, which, I presume the uninformed public will, from this representation of the committee, suppose a mere transcript of the protestation; at least, that it cannot substantially differ from it, is the very oath, which was regularly and formally censured and condemned, by the four vicars apostolic who had signed the protestation. And if we withdraw from these menacing invectives, and denunciations, the imposing glare of affected liberality, and delegated corporate authority, in plain language and cool intendment, we are told by the committee, that the Bishops, who had condemned this oath, and all those, who acquiesced in, and submitted to their condemnation by refusing to take it, are guilty of the grossest duplicity, meanness, falsehood, prevarication, and irreligion: and that into this guilt and infamy, the bishops exhorted, and even required us to plunge. These are charges of a serious nature, both against our pastors and against the greatest number of their flocks. Generally in accusations, the charge is resisted by the plea of *not* guilty. In this, we glory in admitting the charge in its full force and extent, and upon that admission we ground, I will not say, our innocence, but our glory and merit. And we retort upon the heads of our accusers, the treble force

force of all these base and false accusations. We *have* signed the protestation, and we have refused to take the oath ; because they differ substantially from each other : and therefore did the four vicars apostolic condemn the one, after having signed the other. Had we resisted the censure and condemnation of our spiritual lawful superiors, we should have been justly condemned of attempting the destruction of all the spiritual power, by which the subordination of the hierarchy is maintained. But we think the nature of that form of oath such, that it was unlawful to be taken, and therefore that it ought to have been condemned, as it was condemned.

I will not trouble my readers with more proofs, that, as to the point of papal infallibility, the oath and the protestation differed most materially. I know, that several very respectable and learned men have complained of many other such deviations. I shall however only insist upon one more, which, if any thing can, will prove the deceit and falsehood, with which the committee have constantly endeavoured to represent this oath to the public, and brand the recusants to take it with infamy and prevarication, to a degree of unanswerable confusion.

The inconsistency and contradiction of these gentlemen of the committee, are so very gross, that I should despair of gaining credit in exposing them, if I did it in any other

other, than their own words. Whatever objections or disgust, or contempt, or censure, or blame might, and actually have been, heaped upon us, for refusing generally to take the oath in question, we are only accused by the committee of meanness, subterfuge, falsehood, prevarication, scandal, and irreligion, for refusing to take it *after we had signed the protestation*, which being so precisely similar, made in fact but *one and the same Instrument*.

" * The vicar apostolic of the middle district, held a conduct totally opposite. He declared his only objection to the oath, was *the alteration from the protestation*, in that clause, which relates to the right of the Pope or the Church to interfere with the temporal or ecclesiastical government of the country, as by law established. We beg leave to add, that the vicar apostolic of the middle district publicly declared, that in signing the condemnation of the oath, as it then stood, he did not mean to retract his signature of the protestation; that he had signed the protestation deliberately, and would inviolably adhere to it. The candour and truly Christian firmness and moderation the vicar apostolic of the middle district displayed upon this occasion, increased, if possible, the veneration and respect of the public for him; and it

* 2d Blue Book, p. 6, 7.

" was

" was a singular satisfaction to us, that at
 " the last general meeting of the Catholics,
 " he was appointed unanimously to be of the
 " committee, in the room of his deceased
 " venerable brother." I mean not to deroga-
 tate in the slightest degree, from the respec-
 tability of the worthy and honourable vicar
 apostolic of the middle district. But it is
 certainly a curious specimen of the candour
 and consistency of the gentlemen of the com-
 mittee, to bestow the highest eulogies of pa-
 negyric upon him, and load the other vicars
 apostolic with the most insolent, base, and
 and false charges, for one and the same
 thing; that is, for condemning and refusing
 the oath, *after signing the declaration*. For
 to this, and this cause only, can be applied
 those heated interrogatories, and scandalous
 imputations to the bishops, with which the
 pages of the blue book are so frequently
 defiled.

It is painful to me, and yet I find it ne-
 cessary, to probe the wound, which has been
 made in our body by some of its own mem-
 bers, to the very bottom. If it be curable,
 and I flatter myself it is, it will tend greatly
 to heal it, to be rightly informed, by which
 of the members it was given, kept open, and
 irritated, and what parts of the body it ac-
 tually affects. The peace and harmony of
 the body were first broken in upon by the
 appearance of this hideous and deformed
 shape

shape of the oath. Whether the gentlemen of the committee claim the honour of engendering, or only fathering the ricketty bantling, is perfectly immaterial to our present consideration. Whether it was the secret and unavowed production of one of them separately, or the joint produce of their united efforts, or whether the off-cast foundling was laid at their door by the real progenitor, from shame or repentance, certain it is, that the unshapen mass of deformity was attempted to be nurtured and brought forward with an anxiety and solicitude, that argued something even beyond parental affection. Conscious, I presume, that this amphibious monster would not be cherished or received by the body at large, these real or supposed parents of it determined, *quâcunque viâ*, to obtrude and force their foundling upon us. For this purpose they erect themselves into a power unknown to us, either as men, Englishmen, or persons professing the Roman Catholic religion. A power, the plenitude of which was never known to any civil state whatever, much less to the moderation of the British legislature, nor even to the most abusive usurpations of authority in the vatican. With one mighty gripe, they attempt to seize the dominion of our thoughts, words, actions, intentions, and religion. And thus have our wounds been kept open, and irritated to a degree, threatening

ening a constant necessity of amputating many precious members from the vital principle.

Incredible as this statement may appear, I appeal to the impartial judgment of my readers, whether the words of the committee themselves do not warrant it in the utmost latitude. I mean ever to be guided by their own favourite maxim: *Tantus in se sit veri amor, ut quidquid dixeris id juratum putes.*

When the oath first appeared, *we could not but observe, that its form differed much from that of the protestation* *. We then assumed, and we still insist upon a right of thinking freely upon this matter: notwithstanding the imperious mandate of these high inquisitorial justiciaries, that it *does not in any one particular deviate essentially from the protestation; that it consequently forms one and the same instrument: and as this protestation was converted into the form of an oath, shall we refuse to swear, when called upon by our country, what we most solemnly protested under our own hand-writing; for the oath is but a repetition of the protestation.* Can there be expressed a more mandatory injunction to submit our opinion, and consequently to fetter our thoughts, upon a subject open to the freest discussion of every individual. For these

* Reeve, ubi supra.

are not words expressive of an opinion upon a disputed question, or of reasons to enforce an argument; but they are the reflex and vehement assertions of men, irritated at the refusal of others, to submit blindly to their opinion. But lest these public and collective decrees should prove as ineffectual in introducing and admitting their loathed bantling, as their other previous attempts had been, we will apprise a wondering public of the powers, they have on this occasion arrogated to themselves to enforce their mandates.

What I say of the protestation may, as against the committee, be equally said of the oath; for according to them *it is one and the same instrument*. Therefore to object against any part of the oath, is to recede from a part of the protestation. And what is their sentence upon the heinousness of this crime?

“ To recede, therefore, from any part of the protestation, would be a flagrant violation of veracity—a criminal prevarication—a mortal wound to the *integrity* of Catholics—and, consequently, an everlasting confirmation of the prejudice of Protestants, that our religion permits us to use duplicity and equivocation.” We have much less to fear, from the liberal and mild judgment of our Protestant brethren, than from this rigorous sentence of the *Catholic dissenting protesting Committee*. We are not blamed,

blamed, censured, nor condemned, in any manner, by our Protestant brethren, for exercising our right to judge of the conformity, or non-conformity of two instruments (both of which we are called upon to subscribe) with each other; nor for admitting a right, in our spiritual pastors, of passing sentence of condemnation upon oaths and tests, which relate to doctrine; nor for submitting to, and acquiescing in their condemnation of them. We have found them so extremely liberal, as to be ready to pass an act of Parliament to humour and accommodate the tenderness of one individual's conscience upon these very matters. We heard nothing from them in parliament of the language of the Blue Book against us: No *flagrant violation of veracity*—no *criminal prevarication* is charged upon us; nor are our pastors arraigned, but rather commended, for having condemned the oath. We are said to be the more conscientious Part of the Catholic community, from our tenderness and caution in admitting of oaths, and from our deference and submission to the sentences of our pastors upon them. We beg, in future, that the gentlemen of the committee, whatever powers they may arrogate to themselves over us, will at least leave the right and power to our Protestant countrymen of passing their own judgment upon us. We feel, and wish ever to bear, the most grateful and honourable testimony
of

of the sentiments they have, in this business, expressed of us. How unlike to these sentiments are the following addresses to the Apostolic Vicars, who had condemned the oath, and declared to their flocks, that it could not be lawfully taken: “ Is it into “ this dishonour we are exhorted, nay re- “ quired, by your Lordships to plunge? Does “ not authority exerted to *effect this pur-* “ *pose, tend to destruction, not to edifica-* “ *tion? And if such an authority were sub-* “ *mitted to, would not an undue respect for* “ *the ministers of our religion, involve the* “ *ruin of religion itself?*”

That the oath was acknowledged and avowed by the committee, in the form in which it appeared in *Woodfall's Register*, June 26, 1789, appears, from what Mr. Reeve says of it, “ * by their direction, it “ was inserted at full length, with the Bill, “ in *Woodfall's Register*, June 26, 1789: “ two hundred copies of it were separately “ printed, &c.” From this writer's being admitted to inspect the books and papers of the committee, he will be allowed by them at least to have spoken truth. And I am happy in being able to adduce his authority, in addition to the proofs already submitted to the public, that the oath varied materially from the protestation: “ † Catholics, at a

* Reeve's View of the the Oath, p. 9. † Ibidem.

" distance from the metropolis, read the
 " paragraph with surprize, and I must say
 " with marks of disapprobation. For they
 " could not but observe, that the form of
 " the oath *differed much* from that of the
 " protestation." And " * the propriety of
 " altering the oath being admitted on all
 " sides, it was moved, that the committee
 " should endeavour to prevail on ministry
 " *to alter the objectionable parts of the oath*
 " *to the words of the protestation, &c.* Thus
 " altered and *approved*, this new oath is no
 " longer the object of that which proscribed its
 " late ambiguous form." But let it be remem-
 bered, that this ambiguous form, is the form
 in which the committee have constantly
 maintained it to be a repetition of the pro-
 testation, in which they have so scandalously
 arraigned the bishops for condemning it,
 and abused their opponents for refusing to
 take it. Until this oath appeared, and was
 so imperiously obtruded upon the Roman
 Catholics, all was peace, concord, and
 unanimity in the body. But, *hinc illæ*
lachrymæ!

" The opinions of men still continuing to
 " vary upon the subject, the bishops came to
 " the resolution of assembling in synod, and of
 " pronouncing upon the merits of the oath.
 " For, by the same unaccountable insinua-

• Reeve's View of the Oath, p. 13.

" tions,

" tions, an alarm was spread, that by the
 " oath a premeditated attack was made
 " against the Catholic religion, of which the
 " bishops are the acknowledged guardians
 " in this country. On that occasion they
 " thought themselves in duty bound to
 " speak in its defence. Of the purity of
 " their zeal no doubt was ever entertained. By
 " many, indeed, their act has been deemed
 " precipitate and imprudent. They acted,
 " however, within their sphere, and moved
 " most certainly within the circle of their
 " pastoral charge, for the direction and
 " safety of their flock; for they are the
 " lawful judges and arbitrators of all *reli-*
gious matters appertaining to doctrine and
morals. In this light every public oath is
 " to be considered, where doctrines are to
 " be disclaimed. They spoke, they decided,
 " they condemned. Their censure, though
 " severely pointed, was only general. It
 " assigned no reason, it specified nothing in
 " particular, it expressed no defect; it sim-
 " ply declared the oath, as it appeared in
 " *Woodfall's Register*, to be unlawful, and,
 " upon the whole, not to be taken *."

So much having been said of this condem-
 nation of the oath by the bishops, it would
 be unfair to withhold it from the public:

* Reeve's View of the Oath, p. 10, 11.

Encyclical Letter,

Addressed to all the Faithful, both Clergy and Laity, in the Four Districts of England, by the Four Vicars Apostolic, Charles Ramaten, James Birthan, Thomas Acon, and Matthew Comanen.

Dearly beloved Brethren, and Children of Christ,

WE think it necessary to notify to you, that, having held a meeting, on the 19th of October 1789, after mature deliberation and previous discussion, we unanimously condemned the new form of an oath, intended for the Catholics, published in Woodfall's Register, June 26th, 1789, and declared it unlawful to be taken. We also declared, that none of the faithful, clergy, or laity, under our care, ought to take any new oath, or sign any new declaration, in doctrinal matters, or subscribe any new instrument, wherein the interests of religion are concerned, without the previous approbation of their respective bishops.

These determinations we judged necessary, to the promoting of your spiritual welfare, to fix an anchor for you to hold to, and to restore peace to your minds. To these determinations, therefore, we require your submission.

Hammersmith,
October 21, 1789.

+ CHARLES RAMATEN, V. A.
+ JAMES BIRTHAN, V. A.
+ THOMAS ACON, V. A.
+ MATTHEW COMANEN, V. A.

Little

Little comment needs to be made upon this very short letter. The Committee's own author has spoken fairly upon it. Let us see how far they have followed his example. However, their vehement and indecent abuse of the vicars apostolic is providentially blunted and defeated by the palpable contradiction and self-refutation, which are manifest, almost unexceptionably, throughout the whole strain of their invective.

Such is the public instrument, by which the four apostolical vicars, who are the guardians and protectors of the Roman Catholic religion in England, and whom the body acknowledge as their lawful bishops, condemned this oath, after they had themselves signed the protestation. Before I develop the conduct of the Committee upon this occasion, it will not be improper to submit some general grounds, upon which the Vicars Apostolic must be allowed to have acted in passing this public censure. After the signing of the protestation, which was very early in the year 1789, till the 26th of June of that same year, it is to be presumed, that many circumstances must have happened, which tended to sow the seed of this unhappy dissention, which broke out into a systematic division of party upon the condemnation of the oath. It could not be totally unknown to the Vicars Apostolic, that the Gentlemen of the Committee were, dur-

ing this time, employed in framing, settling, procuring, or admitting an oath, which was to be presented as a new test to the body of English Roman Catholics. When, as the Committee inform us * “ the protestation “ was received by a Member of the Committee in the month of November, 1788 ; “ the rank and situation of the person who “ propos'd it, and several other circumstances, made it absolutely necessary for “ them to enquire, whether the Catholics “ would or would not sign it. The Member of the Committee, who received “ it, † transmitted it immediately to the se-

* Second Blue Book, p. 2.

† From this representation we are led to believe, that the protestation was framed by the noble personage here alluded to, and sent to the Committee by him. In fact, their own Author, who had access to their books and minutes, places the fact beyond doubt ; for he says, (p. 5.) “ The idea did not “ originate with the Catholic Committee, as has been erroneously advanced : it sprung from a Protestant quarter, powerful in political connections, and friendly to our cause. “ The form of it was drawn up by a noble Senator of high “ rank in this country, and sent in December, 1788, to the “ Committee, with a letter, recommending that it might “ be signed by all the chief Catholics in England.” When some persons read another account given by these same gentlemen, of the fabrication of this protestation, it was understood to have been of the Committee's own manufacture (1 Blue Book, p. 1.). For in giving an account of the different things which they were directed to do, and which they say they had done : they particularly say, “ For this purpose, with “ long consideration, and after attentively perusing the works “ of some of our best apologists, and conferring with ministers, the protestation in question was framed.” I leave my Readers to determine, whether these two accounts of the protestation are perfectly consistent or not.

“ cretary

“ cretary of the Committee, with directions
 “ to forward it immediately to the vicars
 “ apostolic, and request their opinion of
 “ the lawfulness of signing it.” This was
 done ; and they elsewhere acknowledge,
 “ * We never assumed to approve or disap-
 “ prove of it, as far as it related to doc-
 “ trines. On receipt of the protestation,
 “ we transmitted it to the apostolic vicars,
 “ and till they had not only approved of it,
 “ but themselves signed it, or declared they
 “ should give no opposition to the signing
 “ of it by the faithful of their respective
 “ districts, we neither signed it ourselves,
 “ nor proposed it to be signed by others.”

And for this docile and submissive de-
 ference to their spiritual superiors, on this
 occasion the Committee are not backward in
 assuming to themselves a decent share of
 merit. “ † What more than this could have
 “ been expected from the most docile Mem-
 “ bers of Christ’s Church ?” When, how-
 ever, this same matter *relating to Doctrines*,
 was to be reduced into the form of an oath,
 I believe every individual in this nation (if
 we except the Gentlemen of the Committee,
 and their devoted adherents) will admit with-
 out hesitation, that in this latter form, it
 came more immediately under the province
 of the bishops to examine, than it was in

* Second Blue Book, p. 3.

† Second Blue Book, p. 5.

the former shape of a declaration or protestation. The Committee, however, with their usual consistency, *not having assumed to approve or disapprove of the protestation, as far as it related to Doctrines*, now, without any communication with their spiritual superiors, much less with their sanction or approbation, undertake either to frame or to admit a form of oath framed by others, as the future test of the religious faith of all the English Roman Catholic subjects of his Majesty: and this form of oath, so either framed or admitted * *by their Direction, was inserted at full length with the bill (he should have said with the heads of the bill) in Woodfall's Register, June 26th, 1789.* And although their own author continues to tell us, " that 200 copies of it were separately printed, and one of them was sent " by the secretary of the Committee to the " senior vicar apostolic: Yet, I find the late bishop of the Northern District holding rather a contrary language, in his pastoral letter (p. 8.), upon this very subject. " In " obedience to these sacred precepts, illustrated by severe yet animating examples, " we with our venerable brethren, thought " it a matter of deep importance, loudly " calling for the exertions of our pastoral " zeal, to declare our impartial and unprejudiced sentiments, whether the oath, *con-*

* Reeve, ubi supra.

" *veyed*

"veyed to us through the channel of a newspaper,
 " lately framed for ourselves, and the faith-
 " ful committed to our charge, could be
 " taken with a safe conscience; whether the
 " Catholics of this kingdom were to be branded
 " with an indelible stigma, and involved
 " in the guilt, and every baneful consequence
 " of a criminal test." It cannot surely but
 appear singular, that this new form of oath
 relating to *Doctrines*, should have been first
 communicated to the Apostolical Vicars,
 through the medium of a public newspaper,
 by the very gentlemen who so pompously
 boast, "of the extreme deference and at-
 tention, which, throughout the whole
 course of this business, they have paid to
 the Apostolical Vicars," I appeal to all per-
 sons, whose minds could not have been bi-
 ased by taking a side in this dispute, whe-
 ther or no this conduct of the Committee did
 or did not warrant the conclusion made by the
 Bishops, that the Committee intended no longer
 to apply to them for their opinion upon the
 validity of the oath. For they had thus
 ushered into public an oath, and the heads of
 a bill, of which they themselves speak in
 this manner; * "Upon this, the oath was
 " taken out of our hands. It was then the
 " property of government. It was in their
 " possession, and we could not alter it. Not

* Second Blue Book, p. 3.

" one

" one letter was at our command. Every
 " alteration in the oath, we knew would re-
 " tard, and might endanger the progress of
 " the bill." It was, therefore, to be pre-
 sumed and concluded, that, as the Com-
 mittee express themselves, *here then for the*
moment, was the ultimatum of Government,
 whatever relief or redress the body of English
 Roman Catholics were to expect, was only
 to be received upon the previous condition of
 their taking an oath, which their ecclesiasti-
 cal superiors, " after mature deliberation, and
 " previous discussions, unanimously con-
 " demned, and declared to be unlawful to be
 " taken." The Committee's own champion,
 very candidly avows, what all other impar-
 tial persons will readily admit, that " they
 " acted, however, within their sphere, and
 " moved most certainly within the circle
 " of their pastoral charge, for the direction
 " and safety of their flocks. For they are
 " the lawful judges and arbitrators of all re-
 " ligious matters appertaining to doctrine
 " and morals. In this light every public
 " oath is to be considered, where doctrines
 " are to be disclaimed." Now it is very
 evident, that the bishops were officially bound
 to declare to their flocks, that they were of
 opinion, that the oath could not be lawfully
 taken. " The pilot who sees the vessel in
 " danger of splitting against a rock con-
 " cealed under the waves, and neglects to

“ give warning, betrays his trust,” said the late bishop of the northern district.—Nay the very committee themselves, who inveigh so passionately against the bishops for having passed this public censure, have expressly “ * lamented their misfortune in having incurred the disapprobation of them, who, from their station in this country, are the natural guardians of the catholic religion.”

In order to bring home to the committee the charges of contradiction and self-refutation, we must apply to their own favourite devise, *tantus in te sit veri amor, ut quidquid dixeris, id juratum putas.* We have no magisterial authority in us to call upon them to swear to their words: if we had I should hope, and even expect, that they would be as backward in taking such an oath, as their opponents were to take that oath, which the *natural guardians of their religion* had condemned;—but from motives widely different.

You have said † “ We conferred upon it with the three ecclesiastical members of the committee. Your Lordship will find, by the minutes of the 19th of Nov. 1789, that they all approved of it: and in particular the late vicar apostolic of the London district kept it by him for two days,

* First Blue Book p. 12.

† Second Blue Book p. 5.

“ and

" and then returned it to the committee, with
 " a verbal declaration, that he saw in it no-
 " thing contrary to faith and good morals.
 " We can assure your Lordships, that his
 " explanations were even stronger than the
 " account inserted of them in the minutes we
 " have the honour to send you. The com-
 " mittee recollect he added, that he saw no-
 " thing in the oath, that a catholic might
 " not safely take."

You have said, " Thus, this oath, which
 " upon the requisition of government, and
 " with the most explicit sanction of our bi-
 " shop, we had signified to be admissible; an
 " oath which, in its effects and tendency, is a
 " mere profession of *temporal* allegiance, and
 " repetition of that protestation, which all
 " the vicars, with their coadjutors and clergy,
 " had signed but a few months before, that
 " very oath, my Lord, was pronounced al-
 " together unlawful."

You have said, " In the face of God and
 " the nation, the apostolic vicars had
 " signed the protestation, could they have an
 " objection to call God to witness the repe-
 " tition of their signatures? This is all they
 " would do when tendered to them as an
 " oath."

You have further said, " They have been
 " before government, since the end of the
 " last sessions but one (*viz.* since the 11th
 day of August 1789) " at which time under

“ the sanction of the protestation, and with
 “ the authority of the late vicars apostolical
 “ of the London district, you informed go-
 “ vernment the oath was admissible.”

You have said * “ Your Lordships have
 “ unanimously condemned the form of an
 “ oath intended for the Catholics, yet we
 “ beg leave to represent, *that this very form*
 “ was, not many months since, sanctioned
 “ with the approbation of one of the four
 “ apostolical vicars, who, as a member of
 “ the committee, has all been consulted,
 “ and without, whose concurrence not one
 “ step has ever been taken.

“ For, my Lords, what is the form of the
 “ intended oath, it is no profession of the
 “ peculiar doctrines, which the catholic
 “ church teaches in opposition to those
 “ churches who have separated from her
 “ communion ; it is only a declaration of
 “ the innocence of our principles in social
 “ and civil concerns. Our faith is not
 “ brought forward in this oath ; the rights
 “ of conscience are not even considered ; re-
 “ ligion is not mingled with concerns of a
 “ mere temporal nature : all we are required
 “ to swear, is, that we maintain no tenets,
 “ which can hinder us from faithfully dis-
 “ charging the duties of honest men and of
 “ peaceable subjects.”

* First Blue Book, p. 12,

You

You have said, " Thus your Lordships see
 " the extreme deference and attention, which
 " throughout the whole course of this busi-
 " ness, we have paid to the apostolic vicars."

Upon your own boasted principles then,
 gentlemen, you are ready to swear to what-
 ever you have thus publickly and deliberately
 said and signed.

You are then ready to swear, that the vicar
 apostolic of the London district, the
 Honourable James Talbot (since deceased),
 known by the title of James Birthan,
 particularly approved of the oath in question
 (for we are still talking of the oath, which
 appeared in Woodfall's Register): and that
 he saw nothing in it, that a Catholic might
 not safely take: and that on the 11th day
 of August 1789 you had received the most
 explicit sanction of your bishop, this same
 Mr. James Talbot, to signify to government,
 that the oath was admissible. And con-
 sequently, that this same respectable prelate
 (one of your own committee) did on the 21st
 October 1789, by the most solemn act, of
 which his pastoral dignity was capable, di-
 rectly condemn, as unlawful to be taken, that
 oath, which by the gentlemen of the com-
 mittee he is stated to have expressly fance-
 tioned and deliberately approved of *. Since
 these

* To shew, that I neither misdate nor mistate this curious
 transaction, I will quote the history of it given by the Com-
 mittee's

these gentlemen of the committee have published to the world, the thanks of the late meeting of the English Roman Catholics for their judicious conduct in the cause, I think it proper to call the attention of my readers to this first and signal instance of their judgment. For by this representation they either expose to the public the folly, irresolution and prevarication of their own spiritual superior, who was one of their body, or they support their own cause by the most flagrant

mittee's own author, p. 8. "An oath was accordingly framed, " which, in its original form, was an exact transcript of the " protestation; and, consequently, contained nothing more, " than what the bishops, with the body of English Catholics, " had already signed and approved. It was communicated " to ministry, and the two great leaders of administration, in " the law and civil department, thought fit to make alterations in it. These alterations were immediately submitted " to the inspection of the three ecclesiastical members of the " committee, the chosen representatives of the whole Catholic " clergy in England. Two of them were of the episcopal " order, of whom one was the immediate superior of that " district, therefore competent to judge and pronounce, " whether these alterations, and how far the sense and substance of the oath had been affected.—Their voice was unanimous in favour of the oath's admissibility.

" But that nothing might seem hastily done in this important matter, bishop James Talbot took the oath, in its altered state, with him into the country; kept it by him two days, and, at the next meeting of the committee, delivered it back with a verbal declaration, that he saw nothing in it contrary to faith or good morals. Of this material circumstance, a minute is made, and signed by seven members of the committee. Under this sanction, the committee regulated their subsequent proceedings, in communicating the oath to the Catholic body at large. By their direction, it was inserted at full length, with a bill, in Woodfall's Register, June 26, 1789."

falschold,

falsehood, in insisting upon the express and deliberate approbation by the late Mr. Talbot of that oath, which is known to the nation he most solemnly condemned.

You are then ready to swear, that this oath is a mere *profession of temporal allegiance and repetition of the protestation*, of which you have expressly said, *that you never assumed to approve or disapprove of it, as far as it related to doctrines*. And elsewhere, * “ Having given to God and the nation these two solemn pledges both of our religious and political integrity, shame be upon those, who dare to call in question either the one or the other.”

You are then ready to swear, that this oath was but an echo of the protestation, and *that no deviation from the protestation can be pointed out*. I shall not repeat, what I have before said, upon this subject ; but I will warn my readers, that the committee have elsewhere acknowledged, † that “ They negociated with government an alteration in the oath, because it appeared to some a material, as it certainly was a *verbal* deviation from the protestation.” And that the Honourable Thomas Talbot, the bishop of the middle district, who signs his name by the title of Thomas Aconen : “ declared his only

* Second Blue Book, p. 14.

† Second Blue Book, p. 10.

“ objection

“ objection to the oath was the alteration
“ from the protestation in that clause, which
“ relates to the right of the pope or the
“ church, to interfere with the temporal or
“ ecclesiastical government of the country, as
“ by law established.”

You are then ready to swear, that not one step, respecting the oath, was taken without the concurrence of the bishop of the London district ; that is, that he devised, framed, adopted, sanctioned, or approved of the oath, against and in defiance of his own express and solemn condemnation of it.

You are then ready to swear, that “ all
“ we are required to swear was, that we
“ maintained no tenets which could hinder
“ us from faithfully discharging the duties of
“ honest men and peaceable subjects.”—
When, as your own author says, “ the Bishops
“ are the lawful judges and arbitrators of all
“ religious matters appertaining to doctrines
“ and morals ; and in this light every public
“ oath is to be considered, where doctrines
“ are to be disclaimed.”

You are then ready to swear, that the oath
was *the work of government, the bill was
framed by them: all was imposed upon you, you
had given in nothing.* But do we not read in
your own deliberate publication, * “ That
“ when the late vicar of the London district,

* Second Blue Book, p. 4.

“ Mr.

" Mr. Berrington and Mr. Wilks, were incorporated into the committee, they attended the meetings, and were of course informed of the proposal to alter the protestation to an oath, and they saw no objection in it: To this proposal the committee therefore acceded: this made it necessary to alter the draught of the bill, and it was altered accordingly. And thus altered, the act was again shewn to some leading members in administration *." Surely, this was not the work of government. Nor ought you to gain credit, though you should swear by a million of oaths, that the bill was framed by government. They cannot be very ambitious of the merit of having framed such a bill; and you have yourselves expressly said to all the Catholics in England, "*We shall now lay before you the principles and grounds, upon which we have framed it.*"

* The committee's Apologist confirms this fact, for he says (p. 8) " For these reasons the committee at last consented to the measure, as conducive to the end they had in view, the success of their intended bill in parliament. An oath was accordingly framed, which in its original form was an exact transcript of the declaration, and consequently contained nothing more, than what the bishops, with the body of the English Catholics, had already signed and approved. It was communicated to ministry, and the two great leaders of administration in the law and civil department, thought fit to make alterations in it." Is not this a demonstration, that, when it was thus altered, it was no longer one and the same instrument with the protestation: which, notwithstanding, the gentlemen of the committee are ready to make oath of.

You

You are then ready to swear, *that you have paid extreme deference and attention throughout the whole course of the business to the apostolic vicars*: else why, after having enumerated your multifarious merits, conclude with this self-sufficient interrogatory, “ What “ more than this could have been expected “ from the most docile members of Christ’s “ church* ?” But unfortunately the judgments we pass upon ourselves, are sometimes apt to differ from those, which others pass upon us. Some few of my readers may perhaps stretch the extremity of deference and attention somewhat further, than the gentlemen of the committee.

Some persons may, perhaps, judge, that it was not absolutely the last extremity of deference and attention to the *natural guardians of our religion*, to determine upon an oath, as a religious test, which was to be taken by the spiritual pastors themselves, as well as by their flocks, without any previous consultation, or even communication with them upon the subject: for the knowledge of it was acquired by the bishops, from its publication in a newspaper.

Some persons may not see very profound deference and attention, in your assuring the bishops, *that they totally mistook the nature and operation of the bill in question, and that*

* Second Blue Book, p. 5.

they had been totally misinformed of your proceedings ; and that nothing was true of † the general substance of one of their pastoral letters to their flocks. Nor will every one necessarily think it was an act of extreme deference and attention in laymen's interrogating their bishops, for notifying what they thought necessary to their flocks, with a supercilious air of didactic arrogance. Why then, my Lords, precipitate matters ? Why circulate this defamatory mandate ? Have the faithful been edified by it ? Has it served the cause of religion ? Has it recommended Catholics to the favour of the nation ? ‡.*

It is curious to observe, how rapidly these docile members of Christ's church advance in the climax of their deference and attention to their spiritual pastors. “ Thus §, my Lords, “ in our regard, no preliminaries, either of “ form or right, were attended to. Is it “ possible to suppose your heavenly Master “ inspired a conduct so opposite to his own “ spirit of prudence, meekness, conciliation, “ and justice ; or that your Lordships spoke “ the language of the church, when you “ acted in a manner so little conformable to “ its practice ? Thus wandering from your

* Second Blue Book, page 1.

† Ibid, page 2.

‡ Ibidem.

§ Ibid, page 15.

“ proper

“ proper directions, we are not surprised at
“ your errors.”

With this same *extreme deference and submission* to their spiritual superiors, these prudent, meek, conciliating and just men, seem never to tire in arraigning the conduct of their bishops. “* Surely, my Lords, when your Lordships act with so much preピcitancy, when you shew such little attention to the forms or the substance of justice, when you shew yourselves so unconversant with the subjects, on which you pronounce your determinations so decisively: when there is so much contradiction in your opinions, and so much disagreement amongst yourselves, &c.”

Some few of my readers, who claim a right to judge for themselves, will, I fear, think, that these very great lovers of truth, who have said of themselves, *that they have paid extreme deference and submission throughout the whole course of this business to the vicars apostolic*, had better pause a little, before they venture to swear, to what they have thus roundly asserted. For before the whole business was concluded, they tell these same vicars apostolic, “ My Lords, your pretensions to authority, in the manner you have exercised it, being thus set aside, your

* Second Blue Book, page 16.

" decrees must necessarily sink into mere
" matters of private opinion."

But lest there might still remain a doubt upon the mind of any one, that all acts of deference and submission had not been done towards their spiritual superiors, which could be made done by the *most docile members of Christ's church*, they wind up the climax of their humility and obedience, by an hyperbole that surpasses all precedent, and scarcely admits of belief.

*Your Lordships having brought matters
to this point :**

" Convinced, that we have not been misled by our clergy ; convinced, that we have not violated any article of Catholic faith or communion, we, the Catholic Committee, whose names are here under-written, for ourselves, and for those, in whose trusts we have acted, do hereby, before God, solemnly protest, and call upon God to witness our protest, against your Lordship's Encyclical Letters, of the 19th day of October, 1789, and the 21st day of January last, and every clause, article, determination, matter, and thing therein respectively contained, as imprudent, *arbitrary and unjust* ; as a total misrepresentation of the nature of the bills, to which they respectively refer, and the oaths

* Second Blue Book, sub. fir.

therein

therein respectively contained; and our conduct relating thereto respectively, as encroaching on our natural, civil, and religious rights, inculcating principles hostile to society and government, and the constitution and laws of the British empire: as derogatory from the allegiance we owe to the state, and the settlement of the crown: and as tending to continue, increase and confirm the prejudices against the faith and moral character of the Catholics, and the scandal and oppression under which they labour in this kingdom. In the same manner we do hereby solemnly protest, and call upon God to witness, this our solemn protest, against all proceedings had, or hereafter to be had, in consequence of, or grounded upon your Lordships said Encyclical letters, or either of them, or any representation of the bills or oaths therein respectively referred to, given or to be given by your Lordships, or any of you.

“And, from your Lordships said Encyclical Letters, and all proceedings had, or hereafter to be had, in consequence of, or grounded upon the same, or either of them, or in consequence of, or grounded upon, any representations of the said bills, or oaths, or either of them, given, or to be given, by your Lordships, or any of you; we do hereby appeal, and call on God to witness our appeal, for the purity and integrity of our religious principles.

principles, to all the Catholic churches in the universe, and especially to the first of Catholic churches, the Apostolic See, rightly informed.

<i>Charles Berrington</i>	<i>Stourton</i>
<i>Jos. Wilks</i>	<i>Petre</i>
	<i>Henry Charles Englefield</i>
	<i>John Lawson</i>
	<i>John Throckmorton</i>
	<i>William Fermor</i>
	<i>John Townely</i>
	<i>Thomas Hornyold.</i> ”

Tantus in te sit veri amor, ut quidquid dixeris, id juratum putas, is the most excellent device, that could be imagined for persons, who are so ready to swear to all they have said, and so perfectly correct in all they advance. It would certainly have appeared rather incongruous with their character, had they stretched difficulties, or studied objections against any oath, that could have been proposed to them.

Which of my readers would now advise these gentlemen of the committee, to swear confidently to what they have asserted? *Thus your Lordships see the extreme deference and attention, which, throughout the whole course of this business, we have paid to the apostolic vicars.*

I will

I will not trouble my readers with any more observations upon the necessity, which the four bishops found themselves under of publishing this first censure or condemnation of the oath ; nor upon the spirit of deference, docility, meekness, conciliation, peace, submission, and obedience, with which it was received by the gentlemen of the committee, of which they themselves have said, *What more than this could have been expected from the most docile members of Christ's church?*

It would insult my readers to question for a moment, whether the bishops exceeded the limits of their lawful authority, in passing this censure upon the oath, and notifying it to their flocks ; but as, in the second sentence of their Encyclical Letter, they further notify to their flocks*, that they had also “declared, “ that none of the faithful, clergy nor laity, “ under their care, ought to take any new “ oath, or sign any new declaration in do-“ trinal matters, or subscribe any new in-“ strument wherein the interests of religion “ are concerned, without the previous ap-“ probation of their respective bishop,”—it is just to disclose to the public, the manner and spirit, in which *we* received this declaration of our pastors, as it varied so very widely from the judgment which the Committee passed upon it. “ Are your Lordships “ (say they) aware of the monstrous latitude “ of that expression ?” And thereupon they

* See page 102.

enter into a mass of diffused matter, (which the bounds of my publication will not allow me to follow) in order to prove, that the bishops have in this instance exceeded their commission ; and that it was, therefore, unreasonable to submit to the third and last sentence of their Encyclical Letter, “ these determinations we judged necessary to the promoting of your welfare, and to fix an anchor for you to hold to, and to restore peace to your minds. To these determinations, therefore, we require your submission.” We, on the other hand, were conscious, as the committee’s own author expresses it, that the bishops herein acted *within their sphere, and moved most certainly within the circle of their pastoral charge, for the direction and safety of their flock.* We were sensible, that a deliberate resistance to these determinations, would involve us in formal schism ; and that there were but too serious grounds for dreading the immediate existence of that evil, according to what the same author very candidly and truly expresses, “ *The *Catholic Body* now begun to be strongly convulsed within itself. The symptoms were alarming, and an internal schism was much apprehended. Schism, should it once break out, would be to us a far more fatal evil, than all the penal

* Blue Book, page 12.

“ laws

"laws put together." We therefore think, and allow, that under all the circumstances of the case, our bishops still moved within their own sphere, not only when they passed their ecclesiastical censure upon the oath, and notified it to their flocks ; but also, when they warned the faithful not to take any new oath, or sign any new declaration in doctrinal matters, or subscribe any new instrument wherein the interests of religion are concerned, without the previous approbation of their respective bishops. For although we do maintain, that some instruments, wherein the interests of religion may be concerned, can be lawfully subscribed without the approbation of our bishops, yet we should at all times think it disrespectful, not to apprise the natural guardians of our religion of whatever public instrument we might be called upon to subscribe, in which the interests of that same religion were concerned. But, in the case now before us, we give them full credit for meaning, in the warmth of a very laudable zeal, such instruments only as would commit the subscribers to them in their opinions upon faith and morals. We do not hold ourselves warranted to resist our spiritual superiors, in the exercise of their spiritual functions, because in their great care and anxiety, to preserve their flocks from schism, they have used an expression, warrantable under the present circumstances, but which, under other circumstances,

stances, might not strictly be confined within the line of their spiritual jurisdiction. Thus we hold, that we can lawfully sign a declaration merely of a civil or temporal purport, or subscribe an instrument, by way of petition, remonstrance, or civil engagement, without the previous approbation of our bishop, in order to induce government to remove from us any penal laws against our religion ; and therein, strictly speaking, the interests of religion would be concerned. But we think, that in the case now under the contemplation of the bishops, we certainly were bound not to subscribe to the oath, which they had condemned, nor concur in promoting that act of parliament, which held out the necessity of taking it, as a lure or inducement to procure the greatest temporal advantages. I know of no government, neither ecclesiastical nor civil, in which the mere claim of a right, which a man does not possess, annihilates all those rights, to which he has an indefeasible title. Such doctrine might perhaps find an advocate in the present perturbed state of French anarchy. *We* have a love and a regard, as well as respect and deference for our pastors : and if, in their tender care and solicitude for their flocks, they have shewn rather an excess, than a want of affection for us, we do not upbraid them for pushing their power *to an enormous latitude* ; but we thank them for their kind attention

attention to the interests and welfares, which have been committed to their pastoral charge. If, as has been before observed by your own champion, *symptoms were alarming, and an internal schism, was much apprehended*; and *schism, should it once break out, would be to us a far more fatal evil, than all the penal laws put together*; we certainly owe more gratitude to those, who have preserved us from the greater evil, which was schism, than those can claim from us, who were attempting to remove from us the less evil, which were the penal laws: especially as the measures, by which the removal of the less evil was to be effected, must of necessity entail upon us that which was more fatal. We are then far from complaining and disapproving of, and condemning the conduct of our bishops on this occasion: we are happy under their pastoral care and vigilance: we are thankful for their parental affection, and will ever prove grateful for their friendly exertions on our behalf.

It will not be improper, in this place, to give a very short answer to the following passage in the 2d Blue Book *. “ In allowing the admissibility of the oath we might, “ my Lord, be mistaken. If we were, it “ was in common with our late venerable “ pastor, the Vicar Apostolic of the *London*

* Blue Book, p, 5,

“ district;

" District ; with many clergymen of the
 " most exemplary lives, of the most distin-
 " guished learning and piety, whose eloquence
 " and writings are at once the support and
 " the ornament of the remains of English
 " Catholicity ; yet even these might err.
 " But in what could be founded the atroci-
 " ous charge of an attempt to injure religion,
 " or the atrocious imputation of infernal
 " stratagems." For say they, " Their Vi-
 " car Apostolic of the Western District, by
 " his printed letter of the 24th of December,
 " 1789 accused us of an attempt to injure
 " religion ; and the Vicar Apostolic of the
 " Northern District, in his pastoral letter,
 " talked of our infernal stratagem *." Who-
 ever

* The passage alluded to in the Western bishop's letter, by
 which, after having in the strongest manner reprobated the
 opposition of the Committee to the condemnation of the oath,
 and asked them, what credit with the public, or safety of con-
 science, could they expect from making themselves heads of
 a schism : says, " I cannot here abstain from adding, that
 " I presume and trust so far on the humane character, and
 " benevolent sentiments of the minister, that if the censure
 " passed on the new oath, by the four superiors of the Ca-
 " tholic community, ever reaches his knowledge, he will not
 " permit it to be imposed upon us. To conclude, my Lords
 " and Gentlemen, I defend the cause of religion, which
 " you are attempting to injure. I defend the cause of reli-
 " gion, and, as a pastor of that holy religion, I claim from
 " the Catholic body their concurrence." The passage alluded
 to, in the Northern bishop's letter, is this : Quotations should
 be always so fully made, as to be fairly represented. " The
 " new oath, it is said, only expresses what the oath of 1778
 " implies. Secondly, nothing more is meant than a political
 " test.—Answer. The first is clearly false. The second is
 " a delusive,

ever thinks, that schism is an evil to religion, will not hesitate to say, that those, who attempt to establish it, or expose in any manner the faithful to the danger of falling into it, do certainly *injure religion*; and those who hold schism to be a grievous offence, can have little scruple or delicacy in calling any arts, measures, or allurements, used to induce the faithful to fall into the guilt of that sin, *infernal stratagems*. But I presume that the term *hell*, or any of its derivatives, is too coarse and harsh to be applied to modern gentlemen.

I have in vain endeavoured to find out from the Blue Books, (those sacred records of veracity) the particular time or occasions, on which the late vicar of the London District gave this *most explicit sanction* to the Committee, to signify to government, that the oath was admissible*. They boast of following his example in allowing its admissibility: they tell us, that it was † sanctioned

“ a delusive, but no new artifice suggested, particularly, (as we read in the Memoirs of Missionary Priests) to *Roger Cadwallader*; some gentlemen laboured, by many words, to persuade him, at the place of execution, that, in the contents of the oath, there was no denial meant of the pope’s spiritual authority, but only a mere acknowledgement of allegiance to the sovereign prince.” The holy champion, by way of confutation, with undaunted courage, meets death in his most frightful forms, and, from the mansions of bliss, is now looking down, with pity, mixed with holy indignation, against those, who, deluded themselves, are deluding simple minds with the infernal stratagem.

* Second Blue Book, p. 5. † Ibid. p. 6.

with

with his approbation some months before the 25th of *November*, 1789, but they produce no instrument, by which he expressed this sanction; for, to render it *most explicit*, it should have been expressed in the most unequivocal terms, and signed with at least as much solemnity, and after as much deliberation, as the Encyclical Letter, by which he condemned it. On the 25th of *November*, 1789, the Committee arraigned him in the Letter, which they then published, together with the other three bishops, in this manner;

“ In condemning the form of the oath, your
 “ Lordships have not condescended to point
 “ out, what particular parts you judge to be
 “ reprehensible; and as the oath contains no
 “ formula of faith, or declaration of religi-
 “ ous doctrines, we are at a loss to dis-
 “ cover what can make it an object of eccl-
 “ esastical censure.” I can trace no public
 act of the Committee, or of the body, nor
 any particular act of the Vicar of the London
 District, done between this 25th of *Novem-
 ber*, 1789, and the ensuing month of *Fe-
 bruary*; when say they*, “ We solicited an
 “ interview with the Vicars Apostolic. The
 “ late Vicar Apostolic of the London Di-
 “ strict was then no more.”

As one of my two views, in making this publication, is to represent faithfully to the

* Second Blue Book, p. 6.

public,

public, the nature of our dissent and difference from, and opposition to the Committee, I cannot avoid appealing to my readers, whether or no, the gentlemen of the Committee are warranted in truth, to say, that they had the most *explicit sanction of their bishops, to signify the oath to be admissible; and that if they were mistaken in allowing the admissibility of it, it was in common with their late venerable pastor.*—What can more emphatically impeach the fairness of such representations, than the most solemn condemnation of the oath, signed by this same reverend prelate, and dated from his own house at Hammersmith? An act which, to the day of his death, he neither suspended, repealed, nor annulled. I must also call to their minds, that these same gentlemen, who *are at a loss to discover, what can make the oath an object of ecclesiastical censure,* are the identical persons, who have elsewhere declared, “ that this oath is one and the same “ instrument with the protestation, and that “ they never assumed to approve or disapprove of it, as far as it related to doctrines; and that till the bishops had not only approved it, but themselves signed it, or declared they should give no opposition to the signing of it by the faithful of their respective districts; they neither signed it themselves, nor proposed it to be signed by others.” If it be no object of

of ecclesiastical censure, why any anxiety to procure ecclesiastical sanction and approbation? Why then adduce the instance of your associating with you the late Vicar Apostolic of the London District, advising with him on the oath as finally settled, and following his example in allowing its admissibility, as the last and strongest proofs of your being the most docile members of Christ's Church?

In the month of February, of the year 1789, the bishop of the Middle District, who had joined his brethren in condemning the oath in the preceding year at an interview with the Committee, declared, as it was before observed, that his objection against the oath, was its deviation from the protestation in that part of it, which related to the interference of the power of Christ's church. "That being restored, he declared "he should no longer have any objection to "the oath, as it then stood." This being accordingly done, at the next general meeting of the Catholics, *he was appointed to be of the Committee, in the room of his deceased venerable brother.*

It is to be observed, that in general, these meetings of the Roman Catholics, (though public, and open to all) were chiefly attended by the friends of the Committee, or, if it will be thought more candid, (for I have heard it only from report) by far the greatest part of persons present at these meetings, either

either sided with, or submitted to, the Committee : for an open opposition to their proposals or measures at a meeting was not as yet known.

The bishop of the Middle District, who was privy to the alterations made in the oath, in consequence of his former objections against it, and who was now elected one of the Committee, declared verbally, as it is said, (though he never could be induced to do it in writing) that he thought the oath was now admissible. The other bishops still remained of a different opinion. They appear not to have been consulted upon the alterations, nor apprized of them, when they were made. Their sentiments, however, upon all the intermediate proceedings of the Committee, will be more fairly and fully set before the public in their own words.

Encyclical Letter.

Charles, Bishop of Rama, Vicar Apostolic of the Western District; William, Bishop of Acanthos, Vicar Apostolic of the Northern District; and John, Bishop of Centuria, Vicar Apostolic of the Southern District.

*To all the FAITHFUL, CLERGY, and LAITY,
of those respective Districts:*

WE think it necessary to lay before you the following articles and determinations :

1st. We are informed that the Catholic committee has given in, or intends to give in, a bill, containing an oath, to be presented to parliament, in order to be sanctioned by the Legislature, and to be tendered to the Catholics of this kingdom.

2dly. The four apostolic vicars, by an Encyclical Letter, dated October 21, 1789, condemned an oath, proposed at that time to be presented to parliament; and which oath they also declared unlawful to be taken. Their condemnation of that oath was confirmed by

the apostolic see, and sanctioned also by the bishops of Ireland and Scotland.

3dly. Some alteration has been made by the Catholic committee in that condemned oath: but, as far as we have learned, of no moment; consequently the altered oath remains liable to the censure fixed on the former oath.

4thly. The four apostolical vicars in the above-mentioned Encyclical Letter declared, that none of the faithful, clergy, nor laity, ought to take any new oath, or sign any new declaration in doctrinal matters, or subscribe any new instrument, wherein the interests of religion are concerned, without the previous approbation of their respective bishop, and they required submission to those determinations. The altered oath has not been approved by us, and therefore cannot be lawfully or conscientiously taken by any of the faithful of our districts.

5thly. We further declare, that the assembly of the Catholic committee has no right or authority to determine on the lawfulness of oaths, declarations, or other instruments whatsoever containing doctrinal matters; but that this authority resides in the bishops, they being, by divine institution, the spiritual governors in the church of Christ, and the guardians of religion.

In consequence, likewise, of the preceding observations, we condemn, in the fullest

K 2 manner,

manner, the attempt of offering to parliament an oath, including doctrinal matters, to be there sanctioned, which has not been approved by us ; and, if such attempt be made, we earnestly exhort the Catholics of our respective districts to oppose it, and hinder its being carried into execution ; and for that purpose to present a protestation or counter-petition, or to adopt whatever other legal and prudent measures may be judged best.

Finally, We also declare, that conformably to the letter written to the Catholic committee by the four apostolical vicars, October 21, 1789, we totally disapprove of the appellation of *Protesting Catholic Dissenters* given us in the bill, and of three provisoës therein contained, and expressed in the said letter of the four apostolical vicars.

We shall here conclude, with expressing to you our hopes, that you have rejected with detestation some late publications, and that you will beware of others, which may appear hereafter. Of those, that have been published, some are schismatical, scandalous, inflammatory, and insulting to the supreme head of the church, the vicar of Jesus Christ.

+ CHARLES RAMATAN, V. A.

+ WILLIAM ACANTHEN, V. A.

+ JOHN CENTURIEN, V. A.

London, Jan. 19, 1791.

The first of these articles or determinations proves, I think, beyond question, that the requisitions of the first encyclical letter of the 4th of April of the four apostolic vicars were slighted, contemned, or neglected by the committee.

The second is, a very marked confirmation of the propriety of the four bishops' condemnation of the oath, in the form, in which they condemned it.—If we are to judge from the general tenor, spirit, and language of the committee in their blue books, the confirmation of the censure by the Holy See will be to them a most stimulating motive and reason for contemning and resisting it. But for what special reason were the bishops of Scotland and Ireland induced to join in opinion, that this form of oath was not admissible? “ * Four archbishops assembled by appointment, ten bishops, seven of whom in a provincial synod, with their archbishop at their head, distinguished by the lustre of his talents and apostolic zeal, without a dissenting voice, after a mature deliberation and discussion, pronounced the oath to be unlawful.” The ingenuity of all the gentlemen of the committee cannot invent one interested or improper reason, why these respectable prelates should have unanimously agreed with the

* Bishop of Comana's Pastoral Letter, p. 11.

English vicars apostolic in the propriety of condemning this oath. There was a probability, that the test presented to the English might be handed over to the Irish Roman Catholics; and it was not therefore their interest to anticipate difficulties by a voluntary condemnation of an oath, which the committee have said, was, *for the moment, the ultimatum of government*. They were actuated by one and the same uniformity of opinion upon doctrinal matters, and the same dread of schism and confusion, which induced our apostolic vicars to condemn the oath. I can divine no reason, why these prelates of our neighbouring kingdom should not be as fully capable of judging of the intrinsic meaning and import of the oath, as the gentlemen of the Catholic committee. Some of my readers may, perhaps, think from their situations, and habits in life, that they were more capable of passing such a judgment.

When I throw my eye upon the patient, submissive, and peaceful demeanour of our Roman Catholic brethren in Ireland, under circumstances of the severest trials, I cannot sufficiently commend the exemplary and persevering labours of the guardians of their religion, which have produced these happy effects. Their truly evangelical conduct, on all occasions, would be an ornament to the purest days of christianity; nor does it appear, that the purity and integrity of our holy

holy religion could have been committed to the charge of more careful, diligent, and able pastors. In their sincere and tender vigilance over their flocks, did they not forewarn them of the infection that threatened to pervade their fold? They beheld the fatal consequences in their neighbour's disposition to schism; and they most wisely endeavoured to prevent it by antidote, rather than cure it by remedy. We heartily congratulate our Irish brethren, whose welfare and interest are so judiciously and affectionately watched and preserved; and we acknowledge the most grateful deference and gratitude to these truly apostolical prelates, for their candour and fortitude in co-operating with our own, to resist the baneful consequences of a schism in the body. An anxious solicitude to preserve inviolate the unity of faith and communion in their respective flocks, was in them the *voluntary*, in ours the *obligatory* effort of their pastoral charge. If it were error, if it were misconduct, if it were guilt in the one, so it was in the other. The charges, which these submissive and docile members of the church press so heavily upon their own superiors, certainly apply with additional force against the Irish bishops, in proportion to the excess of the number of their flocks. But these taunting invectives would lose their zest, unless applied to those, who, as their lawful superiors, were entitled to deference and attention;

attention ; and the gentlemen of the committee boast of having paid extreme deference and attention, to their own prelates throughout the whole course of the business. It would answer little purpose for them to arraign the Irish prelates for *anticipating*, instead of precipitating matters ; for circulating their defamatory mandates ; for attending to no forms nor rights in condemning the oath as unlawful ; in acting contrary to the spirit of their heavenly Master ; in deviating from the practice of the church ; in falling into errors ; in betraying their own ignorance ; in contradicting their own opinions ; in disagreeing amongst themselves. These charges were only applicable to the *English* pastors for condemning an oath, about to be imposed upon them and their flocks ; but they were by no means applicable to the Irish pastors, for condemning *that same oath*, lest it might be afterwards also imposed upon them and their flocks.

As I write for the public, and not for the committee, I call upon the public to join with me, in paying the just tribute of applause to the discretion, information, and wisdom of the Irish titular bishops, who framed that oath, as a test for the Roman Catholics, which the legislature, at the instigation of the respectable bench of bishops, have found the most sensible, the most explicit, and the most conformable with the

Roman

Roman Catholic doctrine ; and, therefore, the most proper to be substituted in lieu of the ambiguous, dark, unsatisfactory production of the committee. The designs and ways of divine Providence are endless sources of astonishment. The very persons, who confirmed and sanctioned the censure past upon the oath of the committee, which has brought forth from them such envenomed invective against the censors, are the framers of that oath, which the nation, in their wisdom, have thought proper to impose upon the committee themselves. But what still more singular is, that the committee, who deal in little other than self-eulogy, have paid the Irish prelates, on this occasion, a very ample, and I hope a very sincere acknowledgment of their merit. “ * The oath, “ prescribed by this very act, was taken by “ the whole body of Irish Catholics, and “ approved of by their *respectable hierarchy* ; “ and their conduct was defended by his “ grace, the most *pious and learned arch-* “ *bishop of Cashel.*” These *respectable, pious, and learned* personages are those, who condemned the oath of the committee, who were called upon by their flocks to approve (and are commended even by our committee for having approved of) that form of oath, which the nation has adopted: (be she ever

* Second Blue Book, p. 8.

blessed for it !) upon the rejection of the oath of the committee.

The third and fourth articles are in fact but one and the same; and no one will surely say, that an immaterial alteration of the oath will take it out of that censure, which the apostolical vicars had, for weighty and maturely considered reasons, affixed upon it.

Little can it redound to the credit of a set of gentlemen, chosen and appointed to watch over and promote the interest and welfare of the Catholic body, to leave their spiritual superiors and pastors ignorant of the alterations which they had made in an oath, which was to disclaim religious doctrines, and therefore under their immediate cognizance.

The gentlemen of the committee most expressly disavow and disclaim any “ * right “ to determine on the lawfulness of oaths, “ declarations, or other instruments, containing doctrinal matters.” They therefore cannot disagree from their pastors in this particular. But they are hurt, that such an insinuation should have been made. It is certain, that he, who publickly approves of, and he who publickly condemns one and the same instrument, equally determines upon it; I propose, therefore, this obvious question to my readers: for their judgment must deter-

* Second Blue Book, p. 1.

mine,

mine, whether or not the bishops had reason to declare to their flocks, that the committee had no such right of determination, and thereby insinuate that they had usurped it. Are not the Blue Books of the committee written most violently against the bishops, in defence of the oath, as public a determination upon its admissibility, as the bishops admonitory letters to their flocks are a public determination upon its unlawfulness? I need not say, which of the two determinations was grounded upon the *right* to determine. For if I should also insinuate, *that the committee assumed such a right*, they would assure me, by the retort courteous, as they did their pastors, * *that nothing of this is true*. The public will scarcely believe, that the very persons whom the committee have arraigned, for precipitating matters and circulating defamatory mandates, whom they have taxed with injustice, for attending to neither forms nor rights in their regard, condemned, for acting contrary to the spirit of their heavenly Master, and deviating from the practice of the church; upbraided for falling into errors, whom they have reviled for betraying their ignorance; charged with contradicting their own opinions; and scoffed at for disagreeing amongst themselves, are the persons, who, having condemned, in their pastoral capacity,

* Second Blue Book, p. 2.

the oath, which the committee had defended, and were bringing before parliament, steadfastly and unanimously, though earnestly and humbly, exhort their flocks to oppose and hinder the attempt, *by presenting a protestation, or counter-petition, or to adopt whatever other legal and prudent measures might be judged best.* Here is no encroachment upon the temporal or civil rights of their flocks; no denunciation of harsh judgments; no arrogance nor pride of superiority; but a mere exhortation to them, to exert the rights, which, as men and citizens, they enjoyed, in order to prevent the worst of evils from falling upon them. *Schism, should it once break out, would be to us a far more fatal evil, than all the penal laws put together.*

The rest of this Encyclical Letter, * which falls under our observation, relates to the title, form, and substance of the bill, which the committee brought before the parliament. In our representation of this matter, the public will see how far the veracity and judg-

* These publications, which the vicars apostolic have found it their pastoral duty to warn their flocks against, make no part of those circumstances, which by the principle of this publication I am bound to represent to the impartial eye of the public. Happy as I am, that the guardians of our religion are, on all occasions, so vigilant and attentive to the charge committed to them, yet I am peculiarly sorry, that they have found a necessity of sounding the alarm against such encroachments upon the spiritual government of the church, which the fatal experience of the present day shews us, generally attends the like attempts to overthrow the establishment of the state.

ment of our opponents is committed. *Quidquid dixeris, id juratum putas.*

*As to our soliciting the appellation of protestant Catholic Dissenters; the charge is equally unfounded, say the gentlemen of the committee: ** and it is peculiarly singular, that they say this deliberately, after having, full 14 months before, published to the world under their own hands a very elaborate attempt to reconcile the Roman Catholic body, and the nation, to this exotic and absurd though favourite device of theirs. † “ The prominent feature of the protestation and the oath, certainly is, their introducing to the notice of our laws, and that in a very marked and pointed manner, a description of persons wholly unknown to them before, *The Protestant Catholic Dissenters.* On the propriety of this description, and its probable efficacy, the merit of the plan adopted by us chiefly rests.” After this confident assertion of merit, for having devised so solid and so ingenious a corner-stone for the plan adopted by them, I know not how to attempt to deprive them of this merit, although (through modesty, I presume,) they afterwards so positively disclaim all pretensions to it. But the glory must be attributed to some body. It was a device too quaint and

• First Blue Book, p. 7.

† First Blue Book, p. 2.

refined

refined to have been invented before the 18th century: and it certainly required an uncommon depth of acute penetration to discover, that a body of persons professing the Roman Catholic religion in England, had for centuries been classed amongst the *non-descripts*. If they were never before described, why could not these inventive genii prove, with equal conviction to the public, that as such *non-descripts*, they could not have been included in any of the statutes enacted against papists, or persons professing the Roman Catholic religion. Every penal statute must ascertain with precision, the objects of its severity; and no penal statute can by possibility, operate upon a class of *non-descripts*. But to whom then shall the glory be given? I would not willingly put it in the power of these gentlemen, to complain with the robbed poet:

Hos ego versiculos feci, tulit alter honores.

The generality of the Roman Catholic body will not lay any claim to it. They loath the new title, and reject, with indignation and scorn, the heterogeneous and jarring appellation. They know, that the term *Protestant*, has for these three last centuries carried in the English language the unequivocal acceptation and meaning of protesting against the doctrine and authority of the church of Rome: how then shall they dare to pretend to assume that name, whilst they submit both to her doctrine and authority? They know, that the

the term *Dissenters* has been exclusively applied to those sectaries, who have seceded from, or risen up against the Church of England: and they further know, that the doctrines of such sectaries partake but too much of the levelling principles of the present day. They cannot certainly therefore be desirous of being confounded with the dissenters: nor in fact, do they hold themselves justifiable in assuming any other title or appellation, than that of *Catholic*, which, in their principles, emphatically and exclusively describes the unity and universality of their faith.

Whether you say, or whether you swear, that * *the oath was the work of government: the bill was framed by them: all has been imposed upon us: we have given in nothing*; the impartial public will not, nay cannot, credit you. For are you not the same persons, who published 15 pages in quarto, and addressed them to all the Catholics in England, in which you expressly say †,
 “ *We printed the heads of the bill in the public papers. These have been the principal circumstances attending the bill. We shall now lay before you the principles and grounds upon which we have framed it?* ” In consequence of this last quoted assertion (for, where assertions are so contra-

* Second Blue Book p. 5.

† *Ibidem.*

dictory, great accuracy must be had in referring to them) Mr. Mitford, who kindly undertook to bring on the business before parliament, after he had described this newly discovered set of non-descripts, expressly informed the House, that * " those persons, " for whom he stood forward, had taken the " name of protesting Catholic Dissenters."

Now, gentlemen, after having blazoned forth the Invention and addition of this appellation, as the prominent feature of your chief merit, after having framed the bill, and taken much study, time, and pains to lay before the public the principles and grounds, upon which you framed it: after your friend opened his instructions and commission to the House of Commons, and asserted, that you had yourselves taken the name of *Protesting Catholic Dissenters*, I think it will not gain you much credit with the public at large, whatever it may from your own adherents, to stand forth ready to swear, " That the oath " was the work of government, the bill was " framed by them: all has been imposed " upon you." Should you not chuse, in this instance, to abondon your favourite principle, *quidquid dixeris, id juratum putas*, the public will not wonder, that our scrupulous nicety in accepting of oaths, should have surprized, displeased, nay even offended you.

* Diary, March, 2. 1791.

But,

But, gentlemen, was it not enough, that you should deny and disavow the framing of this bill with the title, upon which it is founded, although you had before rested the chief merit of your plan upon its propriety ; but you must also throw the infamy of it upon government. This was accumulating folly upon falsehood : and we owe particular gratitude to the unprecedent liberality of government, for not punishing the whole body, for the insult thus offered them by their supposed agents and commissioners *. It was the grossest insult to the understanding of government, to suppose them capable of throwing together such a mass of dark, discordant, and heterogeneous matter : and the highest impeachment of their liberality, to suppose them, for one moment, capable of intending to continue the full severity of the old penal

* It is still curious to observe the endless contradictions, into which these gentlemen betray themselves, in speaking of a former bill, which their secretary had prepared by their direction ; they say (Second Blue Book, page 2.) " Your Lordship will find it contains no new oath, no appellation of protesting Catholic Dissenters ; none of the provisoos. This, my Lord, we repeat, is the bill of the committee ; whatever deviations or alterations appear to be made from this, none of them were devised or even thought of by the committee ; all originated with others and were received by us, not by choice but by necessity." Now supposing that the committee had not undertaken, by their first Blue Book, to lay before the public the principles and grounds upon which they had framed this bill, yet certainly it must be allowed to have been the extremity of insolent presumption, to have made boast of, and rested their chief merit upon the device and invention of others.

L code,

code against the greatest number of Roman Catholics in this country ; not because they resisted the requisitions of government, but because they rejected the frantic eccentricities, and opposed the unwarrantable exactions of the Catholic committee. It would have been madness in us to assume the denomination of *protestants*, continuing to submit to the faith and authority of the church of Rome : folly to have assumed the suspicious appellation of *Dissenters* : and direct schism, to have contemned and resisted the authority of our own bishops. The minister, and every member of the House of Commons, who spoke upon the subject, in the debate of the 2d of March, rejected, I may say truly with indignation, this illiberal plan of our own committee, of extending the favour to some Roman Catholics, to the exclusion of the greater number. No reasonable man will believe, that this confined system of illiberality was framed by government, and imposed by them upon the committee, when they hear the prime minister holding this fair, candid, and liberal language, in the very opening of the business : “ *If relief of the nature proposed by his honourable and learned friend, (who was the conductor of the business for the committee) who had made the motion, was granted to one description

* Diary, 2d March, 1791.

“ of

“ of Roman Catholics, and the statutes, to
 “ which he had alluded, were suffered to re-
 “ main unrepealed, it would have something
 “ like the effect of *re-enacting them*; as it
 “ would appear that the legislature, apprized,
 “ as they had been apprized of their exist-
 “ ence, thought that the other description
 “ of Roman Catholics merited to have
 “ such disgraceful statutes remain in force
 “ against them.” To our own confusion,
 and to the surprize of all others, we must
 acknowledge, that this contracted and illib-
 eral idea exifted no where, but in the minds
 of our own committee. And in order to
 impress others with the same idea, (though
 their attempt has proved fruitleſs) they have
 laboured through two pages in quarto, of a
 very close type*, to blacken and defame such
 other Roman Catholics, as they have kindly
 pronounced unworthy of the favour of the
 state. *Neither do they claim an exemption*
from the penal laws, for all the body. They
 have attempted to disgrace government, by
 fathering upon them this act of illiberality:
 but they failed in betraying them into that
 meanness, which could alone have produced
 the idea of it.

This amphibious monster of a title was
 exploded by parliament; and all such parts
 of the bill, which grew out of its folly and

* Blue Book, p. 3, 4.

discordance, were totally rejected. Thus was the plan, adopted by our judicious committee, deprived of its prominent feature, upon the propriety and probable efficacy of which they had rested their chief merit. This was certainly a very humiliating circumstance to those, who had some time before, with such assurance, addressed all the Catholics in England*. "Upon these grounds, therefore, " we submit to you, whether the propriety " of the description in question, and its pro- " bable efficacy, be not indisputable."

I have before professed to avoid entering into the controversy, upon the admissibility of the oath, which the committee brought before parliament. Thanks to the good sense, judgment, and liberality of the legislature, that is now useless. But as the committee was so obstinately tenacious of their forms, both of the oath and the bill, that we were driven to the necessity of soliciting and importuning, both by word and writing, every alteration, that was admitted into them, I think the public ought to be reminded, that the committee could by no means be ignorant of the alterations, which their spiritual pastors, on behalf of themselves and the submissive parts of their flocks, required to be made: they were, therefore, according to their own author and champion, bound by every tie of

* Blue Book, p. 3, 4.

honour,

honour, justice, and conscience, rather to risk the fate of the bill, than not use their utmost exertions to negotiate such alterations in the oath, as would effectually take it out of the ecclesiastical censure put upon it. And they were strongly bound, by similar motives, to attempt to negotiate such amendments in the bill, as were also wished for, and expressly recommended by, three apostolic vicars, and the greatest number of the Roman Catholic community.

Tu quid ego & populus mecum desiderat audi.

This author* says, as I have before observed, “ The symptoms were alarming, and an “ internal schism was much apprehended.” Now schism only could be committed by those, who should voluntarily resist, and throw off the authority and government of their bishops. And as he fully knew the sentiments and views of those gentlemen, by whom he was instructed, and for whom he wrote, the public must give him full credit, when he asserts, that the *symptoms of this evil were become alarming*; and it must have been known to the gentlemen of the committee, as well as it was to their apologist, that if an oath were brought forward, which fell under the censure of the bishop, the guilt of schism would be incurred by all

* Reeve, p. 12.

those,

those, who should take it in defiance and contempt of such censure. They could not, therefore, wish it to be brought forward with an intention of not taking it, when it should have been once made the condition of our civil redresses; nor would this author have spoken of the alarming symptoms, and immediate apprehension of a schism in the body, unless he foresaw it likely to be produced by the committee, and their adherents subscribing the oath, in defiance and resistance of the ecclesiastical censures put upon it. But then, although this author has undertaken to write in defence of the committee, and their measures, still I must do him the justice to say, he is not equally inconsistent with himself, as have been his patrons and clients: for he expressly avows, that, *Schism, should it once break out, would be to us a far more fatal evil, than all the penal laws put together. An alteration, therefore, of the censured oath became necessary, to preserve peace and union among ourselves.* It behoved then those gentlemen, who call themselves a committee, *to watch over and promote the public interests of the English Catholics,* and they were bound, by the duty of their commission, rather to secure the peace and union of the body, by the prevention of *schism,* than to attempt to procure the repeal or removal of the penal laws, since *schism, should it once break out, would*

would be a far more fatal evil, than all the penal laws put together.

The unwillingness of the committee, to abandon any one of their own fond conceits, their obstinacy in maintaining the admissibility of the oath, against the express condemnation of it by their lawful superiors, their actual opposition to the attempts and efforts of their bishops, and the greatest number of their brethren, to procure the same advantages they were aiming at, and to prevent the evils of a schism in the body, prove to conviction, that their views, wishes, and efforts, were now directed to other ends, than the real welfare and interest of the body. They raised, and they attempted to support an opposition of principle, an opposition of interest, an opposition of jurisdiction and authority, against the guardians of their religion, and those of their brethren, who submissively admitted of their right and authority to watch over and protect it.

“ * Neither do they claim an exemption
“ from the penal laws for all the body ; they
“ claim it only for those who make the re-
“ nunciation in question ;” that is, for
those only, who should take an oath condemned
by their four ecclesiastical superiors, *as unlaw-
ful to be taken, and who, by so doing, would
bring upon the body a far more fatal evil, than*

* First Blue Book, page 4.

all the penal laws put together. The efforts proved futile, as the attempt was *injudicious*. It was not under such an administration as this country is now blessed with, that the spirit of schism and faction, the spirit of self-conceit and self-created power, the spirit of contempt and persecution of peaceable and inoffensive members of the community, was to be countenanced, encouraged, or rewarded.

I have before acquainted the public, that these gentlemen of the committee never went the length, to avow an intention of renouncing their faith, by the admission of this oath. “ *If the oath contained an avowal “ of any point of doctrine or morals, con- “ trary to the belief of the Catholic church, “ we should think it criminal in us, either “ to contend for its admissibility, in the “ present stage of the business, or to take it “ at a future time, if it should pass into a “ law.” Now, whether the oath did or did not contain any such avowal, these *docile members of the church* do not set up any other authority than that of their own judgment. *We* claim equal rights with them to exercise our own opinions; and as our opinions upon this matter, have been confirmed by the unanimous voice of our own four bishops,

* Second Blue Book, page 13.

and

and supported by the unanimous opinion of the whole *respectable hierarchy* of Ireland, and of Scotland, we consequently must do, what they acknowledge themselves bound to do under less cogent circumstances, *think it criminal to contend for the admissibility of the oath, and much more so to take it, if it should pass into a law.*

If my readers will recollect that this committee have formally and expressly said, that they *assumed no right to determine on the lawfulness of oaths, declarations, or other instruments, containing doctrinal matters*, they will be still further astonished, to find these same gentlemen, in their public corporate capacity, in a solemn address to the Catholics of England, passing the following decisive and mandatory sentence upon the lawfulness of the oath, in direct opposition and contradiction to the condemnation of it by the four apostolical vicars in their Encyclical Letter :

“ Did it contain any thing contrary to faith,
 “ or the word of God, there cannot be a
 “ question, but it should be altered *in every*
 “ *particular in which, upon this account, it*
 “ *were objectionable.* But we beg leave to
 “ repeat, *it contains nothing but a promise of*
 “ *that allegiance, which every government*
 “ *has a right to claim from its subjects, and*
 “ *every subject owes the state, under which*
 “ *he lives.* Did it even contain any thing
 “ *ambiguous*

*" ambiguous, all its ambiguities should be
" set clear, but we find it contains no ambi-
" guity."*

When these didactic gentlemen pronounce, with such precision, that *the oath contains no ambiguity, and that it is nothing but a promise of that allegiance, which every government has a right to claim from its subjects*, they seem closely to have aped the insidious principles of the French National Assembly, in demanding a test from their clergy, which they call the *serment civique*, that goes in fact to renounce and annihilate the first principle of spiritual subordination, and which must necessarily involve the subscribers to it in direct and formal schism. *We execrate such principles*; and, as dutiful and faithful subjects of his Majesty, we grieve at every attempt to import them from our Gallic neighbours into this country. It was in the indispensable discharge of their pastoral duty, that our vicars apostolic exercised the plenitude of their spiritual power and jurisdiction, to crush, in their infancy, the baneful effects of these newly devised and newly imported doctrines from France.

It is certain, that there is a wide difference between the passive submission to laws, which we are bound to obey, and a voluntarily proposal on our own parts, to have new laws framed for us. Upon this principle was it, that the vicars apostolic, in their second encyclical

clical Letter, "disapproved of the appella-
 "tion of Protesting Catholic Dissenters,
 "given us in the bill, and of three provisoes
 "therein contained." Two of these pro-
 visoese, tending to check the full and free
 teaching and exercising of the Roman Catho-
 lic religion, in some instances, the bishops
 thought it incumbent upon them not to make
 the proposals as from themselves, although
 they were ready to submit peaceably to such
 requisitions, if imposed upon them by go-
 vernment. And certainly at the time, when
 they wrote this second Encyclical Letter,
 which was on the 19th of January, 1791, they were under the necessity of supposing,
 that the appellation intended to be given to
 us by the bill, and the form and substance of
 the bill itself, were framed by the commit-
 tee, and by them, as they themselves say, *given in to government*. These reasons are very
 pointedly stated in the western bishop's an-
 swer to a letter written by the committee of
 English Catholics, November 25, 1789, to the
 four apostolic vicars, in which he says, "With
 " respect to the new appellation given to the
 " Catholics, and some articles of the bill,
 " they are glossed over, in your letter, with
 " remote interpretations: to which, how-
 " ever, I shall observe, that there is a pal-
 " pable difference between our suffering in
 " a passive manner former laws against us,
 " which we could not hinder, and now di-
 " rectly

"rectly concurring ourselves to have those
"laws confirmed upon us."

The other proviso, which the bishops disapproved of, was that part of the bill, which was unanimously rejected by the House of Commons, as enacting a new and most severe law, by which any Roman Catholic refusing to take the oath, which the four bishops had unanimously, after mature deliberation and full discussion, condemned as unlawful to be taken, should be declared a *popish recusant*, and accordingly suffer and incur all the pains, penalties, and forfeitures, which the liberality of the nation now judged proper to erase from the statute books. Thus, at a time, when our protestant brethren were exerting their benevolence and charity towards us, by repealing or suspending the operation of the most sanguinary laws against us, strange is it to say, that those persons, who call themselves a committee for *watching over, and promoting the public interests of the English Catholics*, are not only desirous, that their own bishops and the greatest number of their brethren, should remain liable to the full severity of that sanguinary code of penal laws, under which we have so long laboured; but in order to enforce our submission to their unwarrantable requisitions, in a spirit of the most tyrannical illiberality, they suggest to the legislature, as a new condition for re-enacting against us all these *penal*

nal statutes in their full force and vigour, an act of submission to our lawful superiors, and compliance with their injunctions. I know too well the candour, liberality and judgment of his Majesty's ministers ; the benevolence humanity and equity of parliament ; the fairness, truth and justice of the nation, to dare to blacken or defile them with the slightest suspicion of having, at this day, framed a law of such a sanguinary, vindictive, and tyrannical tendency. A clause like this, would have disgraced the bloody reign of a Dioclesian. And shall we Roman Catholic loyal and affectionate subjects of his Majesty, submit to the imputation of believing, for one instant, that it was *framed by government, and imposed upon the committee?* We deny the assertion in its utmost latitude ; we abhor the insult ; we foreswear the injury. When our countrymen and fellow citizens are informed, that such an attempt had been made, not for the purpose of giving security to government for our peaceful and dutiful behaviour, but for the sole intent of compelling us to assume a new appellation, which *these guardians and promoters of our public interests* had foolishly imagined, and to take an oath, which our spiritual pastors had declared to be unlawful, " as ambiguous in its general expressions, " derogating from the principles of the Catholic church, and confounding the spiritual

" tual and temporal powers together*," they will certainly expect, that the most undeniable authority alone shall command their belief. These are the words of this horrid and infamous clause, which these cruel and intolerant gentlemen framed and suggested, whilst they attempted with insolence and falsehood to father it upon government.

" And be it further enacted, that every
 " Justice of the peace may, at any time here-
 " after, require any person, that goes to any
 " place of congregation or meeting, for ex-
 " ercise of religion, certified and registered
 " under this act, to take and subscribe the
 " oath of allegiance, abjuration, and decla-
 " ration, herein before prescribed ; and *upon*
 " *refusal thereof*, such justice of the peace is
 " hereby required to *commit* such person to
 " prison, without bail or mainprize, and to
 " certify the name of such person to the next
 " general or quarter session of the peace to
 " to be held for that county, city, town,
 " part or division, where such person shall
 " then reside ; and if such person so *committed*
 " shall, upon a second tender, at the general
 " or quarter session, refuse to take and sub-
 " scribe such oath of allegiance, abjuration,
 " and declaration, as aforesaid, such person
 " refusing shall be then and there recorded,

* Pastoral Letter of Charles, Bishop of Rama, to all the faithful Clergy and Laity in the western District.

" and

“ and he shall be taken thenceforth, to all
“ intents and purposes, for a popish re-
“ cusant, and suffer accordingly, and incur
“ *all penalties and forfeitures*, as if this act
“ had not been made.”

We observe a peculiarity of severity in this clause, which strangely bespeaks the rigour, with which the gentlemen of the committee would enforce submission to their own extravagancies and errors ; and it fully discloses the real and sole motive, for re-enacting all the old laws, and superadding to them this new law of imprisonment without bail or main-prize. Eager as the framers of this clause were, that those, who resisted their authority, should be forced into submission, so thoughtful were they in fixing upon the occasion for the exercise of their tyranny over their opponents, that the power of enforcing this new law, is given on such occasions, as they knew, every individual was bound to expose himself to, on every Sunday and holy-day throughout the year. This was from them an honourable, though an unintended testimony of our regularity in complying with our spiritual obligations. An unbiased observer might think, that imprisonment, without bail or main-prize would, with more propriety have been enacted against persons neglecting to frequent their place of worship, than against those who should frequent it, from the same motive of obedience to the church,

church, from which they refused to take the oath ; and for which recusancy they were to be cast into gaol. The honourable member in the House of Commons, whose liberality prompted him to move for the rejection of this clause—said emphatically, that * “ the continuance of all the penal laws should be preferred by the House to that stigma, which, by the clause in question, must be affixed to the liberality of the present day.”

The gentlemen of the committee, who have attempted to enforce the most servile submission to their demands, by the revival and renewal of the severest penalties, have on several occasions informed the public, that the body of English Roman Catholics had voted them thanks for their *judicious conduct*. We, who were driven to the necessity of publicly opposing their plans and measures, should never have attempted to interrupt their enjoyment of the adulation of their devoted adherents, if it might not have been from thence supposed, by the uninformed public, that their opponents had basely condescended to admit those measures as *judicious*, which they were bound in conscience to reject and oppose.

Little did the gentlemen of the committee shew their judgment in persisting, against the strongest remonstrances of some of their Catholic brethren, to introduce into the bill

* Morning Post, April 9th, 1791.

a clause for empowering Catholics possessing advowsons to present to livings. The opposition of the Minister and the other servants of government to this clause in the House of Commons, is another convincing argument, that the bill *was not framed by government, nor by them imposed upon the committee*, as these gentlemen have so confidently asserted.

It not only is *injudicious*, but it is uncandid and unmanly, to attempt to procure, by an insidious designed obscurity and ambiguity, any favour, which can and ought to be openly and unreservedly asked for, as it is meant to be fairly and unreservedly granted. We are blest with an open, candid, and upright government: and as men and Christians, when we apply to them for a favour, we should confidently ascertain the extent, to which we pray it to go, as they must avow, to what extent they mean to grant it. Was such the principle, such the conduct of our committee? Again did the servants of government, with the Minister at their head, complain of the obscurity and uncertainty of the bill, and directed the different statutes to be mentioned, which were intended to be repealed or suspended, in order that the nation might know what they were about to grant, and the petitioners, what they were about to receive? Would I could attribute this obscurity to any other motive, than design. But the gentlemen of the committee have chosen

M to

to publish their own principles and motives in framing the bill, and loudly boast that they had given *such an operation to it*, that, * “*we might slip under the operation of the laws in question unheeded and unobserved.*” How disgraceful, to act upon such a principle with candid and upright men? how injudicious, to avow it? how weak, to boast of it?—This is another unanswerable proof: that the bill *was not framed by government, nor by them imposed upon the committee.* *Quidquid dixeris, it juratum putes.*

It is singular and notorious, that in the progress of the bill through the two houses of parliament, not one word was heard, either from a servant of government, or from the bench of bishops, which threw the slightest blame or censure upon the vicars apostolic, and those, who sided with them, for their opposition to the measures and plans of the committee. Their ready and liberal adoption of every alteration we prayed to have admitted into the bill, is the most substantial and satisfactory proof, that can be given of the propriety and necessity of them.

If the gentlemen of the committee expect the applause of the public, as they have so often received the thanks of their own adherents, for their *judicious conduct* through-

* First Blue Book, p. 4.

out the whole of this busines, I cannot forbear to apprise my readers, that the sentiments of the noble personages in the house of peers, who took a part in the debates upon this question, were not perfectly congenial with the sentiments of those, from whom the thanks have been obtained by the committee, for their *judicious conduct*. * The duke of Leeds said, " that from what he had read on this subject, he could not but think the prelates *were right*, in their dis-
" pute with the Catholic committee." And he professed to have read every pamphlet published, on both sides of the contest. The bishop of St. David, who moved for the substitution of the Irish oath, in lieu of the oath of the committee, which had arrived to the house of lords in a very amended state from its first appearance in public, openly confessed, that it appeared to him the most motley composition he had ever seen *half oath, half creed*. And talking of it, even in that meliorated state, he said, " † He felt " the force of several of the objections, " which had been made by the Catholics " themselves."

Be it not forgotten, that the gentlemen of the committee have assured us, that *the oath was the work of government—the bill was framed by them—all has been imposed upon us—*

* See Morning Post for June 1st, 1791.

† Ibid.

we have given in nothing. And they also seem to insinuate, * that the bill had received the previous approbation of the Lord Chancellor, by saying certain alterations had been made in it, *upon the requisition of a person, whom it was essential to satisfy*; and that then *it came as nearly, as possible to the ideas of the high personages therein-mentioned*. I shall not perhaps be the only one, that will conclude from what fell from the Chancellor in the house of peers, that he had read these passages in the committee's publication; and who, at reading them, would not have been indignant? His liberality and justice sanctioned the principle of the bill; and so far comprised *us* within its benign influence; but how could his sense and spirit brook the insult and falsity in its being fathered upon government? “ * The Lord Chancellor re-
 “ quested the attention of the house for a
 “ few moments. He said, that he perfectly
 “ agreed in the spirit of the bill; but as to
 “ its letter, he reprobated it. It was a mass
 “ of nonsense, put together by some person,
 “ who pretended to know the law, but who
 “ in fact seemed to be totally unacquainted
 “ with it. The clauses were drawn with a
 “ looseness, that would disgrace a junior
 “ clerk in a solicitor's office. The fact,
 “ when explained, would be evident. It

* Second Blue Book, p. 4.

† Vide The Times, June 6, 1791.

“ appeared,

“ appeared, in a variety of instances, so as
 “ to render the bill itself ineffectual, if it
 “ passed into a law. For the honour of par-
 “ liament, and for the justice which was
 “ due to the spirit of the bill, he should,
 “ therefore, on the third reading, move se-
 “ veral amendments, in order to make it,
 “ what it was not at present, *a bill of common*
 “ *sense.*”

Unless his lordship had thus publickly ex-
 pressed his opinion of the bill, it was pos-
 sible, that, in the eyes of the public, some
 degree of responsibility for it might have
 appeared to attach upon him. All those,
 who could give any credit to the direct asser-
 tions, or the obvious insinuations, * of the
 Catholic Committee, were necessitated to
 conclude, that his lordship had, in his offi-
 cial capacity, perused, settled, and approved
 of the bill; as government would naturally,
 and indeed necessarily, submit a bill of this
 tendency to him, before they should impose
 it, as framed by them, upon any set of men
 whomsoever.

Before I conclude, I beg to be allowed to
 call the attention of my readers to one obser-
 vation, which ought to have been made
 sooner. There was an essential difference,
 through the whole of this busines, between

* In presence of five of the committee, their secretary assu-
 red me that these alterations, to which this part of the Blue
 Book refers, were made to satisfy the mind of the Chancellor.

the wishes, demands, and requisitions of the committee and their associates, and those of the vicars apostolic and their adherents. Every point of difference between us, upon which the former insisted, would have excluded the larger number of Roman Catholics from the benefit of the act, and aggrieved them with a double and new recusancy, for the punishment of which they had kindly invented new penalties, not finding the old laws sufficiently operative and severe. Every point, upon which *the latter* insisted, and which they have now triumphantly carried, gives relief, ease, and happiness to every Roman Catholic, unexceptionably, throughout the kingdom. It would be an insult to offer reasons; but we hope the nation will allow us to offer an humble tribute of sincere gratitude, for their liberal and marked judgment in our favour.

I have now nearly gone through the whole conduct of the gentlemen of the committee, as far as they have brought *us*, and *this business*, before the eyes of the public. I have, indeed, charged them with inconsistency, whether with or without reason my readers must judge. But I should not do them complete justice, if I did not lay also before the public their consistency. It cannot be forgotten, with what ambitious eagerness they have attempted to assume the title of *protestants* and *dissenters*; upon this prominent feature

ture of their plans, their merit chiefly rests. Of their claim to the latter appellation of *dissenters*, they have, throughout their two publications, given ample, and most unequivocal testimony; they do not only, as they themselves say, * *dissent in certain points of faith from the church of England*; but they also *dissent* in opinions from their own spiritual superiors, and the greatest number of their own brethren; they *dissent* from all those members of the Catholic Church, who allow and submit to the authority of their bishops, in determining the admissibility and lawfulness of oaths; they *dissent* from all those English Roman Catholics, who prayed and petitioned Parliament, to do those things, which Parliament has found it liberal and wise to do; they *dissent* from such members of government and the legislature, as have thought proper to countenance, encourage, and reward the obedience and submission of individuals to their lawful spiritual superiors, in confirming and sanctioning their injunctions to their flocks, by a solemn act of the legislature; they *dissent* from the respectable hierarchy of Ireland and Scotland, and even from the reverend bench of Protestant bishops, in their opinions upon the propriety of the oath; they *dissent* from those respectable members of the legislature, who have

* First Blue Book, p. 2.

disapproved

disapproved of the form of their bill ; they *diffent* from their own author, in representing their own actions ; they *diffent* from themselves, in their assertions to the public ; and, I flatter myself, that they *diffent* from the nation, or rather the nation *diffents* from them, in their judgment of us, who have so successfully opposed their measures. And here shall I leave these *diffenting* gentlemen in the full uninterrupted enjoyment of their *diffenting talents and dispositions* *.

But they seem to have claimed, with still more earnestness and ambition, the appellation of *Protestants*, which they claim title to, *because they have protested, and are willing to protest against, and do declare, they do not hold the doctrines attributed to them* †. Flushed with the self-assumed merit of this *prominent feature*, they usher into public an elaborate detail, narrative, or vindication of their proceedings in their commission ; and lest parliament and the nation should not think them worthy of, or entitled to this new honour, they resolve, before the finishing of their career, to convince the public, at least, that they did not lay in their claim to the appellation of *Protestants*, without the most eminent talents and dispositions for *protesting* ;

* They seem however to *diffent* little from some other *diffenters* in their deference and affection for the mitre.

† First Blue Book, p. 2.

and they are peculiarly select, in the subject, which they have chosen for the display of their talents. I must here beg my reader to throw back his eye upon the protestation, which I have before quoted.

They are not only satisfied to protest for themselves, * but they do it also solemnly before God, for those, in whose trusts they act, *and they call upon God to witness their protest*, against the first Encyclical Letter of the four Apostolic Vicars, and against the second Encyclical Letter of the three Apostolic Vicars, herein-before cited, and every *article, determination, matter, and thing, there-in respectively contained*. Thus they are not only contented to protest against the point in dispute or question, which is the right of the bishops to censure the oath, but so in-

* I hope these protesting gentlemen do not, by this, mean to enlist every one under their protesting banners, who voted for their election and nomination to their trust, but such only as continued to approve and support their measures through the whole of the busines. It is one thing to be appointed to a trust, and another thing faithfully to discharge the trust. They call themselves a committee to watch over and promote the public interests of the English Roman Catholics. I call those the real guardians and protectors of their public interests, who have stood forth, and laboured successfully, to procure the the greatest civil advantage from the nation, which extends unexceptionably and indiscriminately to every one of the Roman Catholic body. Such is the late act of parliament passed in our favour. And *that* we owe to the exertions and efforts of the apostolic vicars, and those who acted under and with them; and I blush to add, that the sole opposition to their efforts, arose from the gentlemen of the committee and their adherents.

fatuated

satuated are they with this new exercise, that they rush head-long into the course determined to distance every competitor, that had ever started from the same goal; and I am very ready to believe, that no Protestant in future, of any denomination, will attempt to enter the lists with these protesting champions. Every clause, article, determination, matter, and thing, in these letters, is by them protested against. They, therefore, *protest*, in the first place, against the fact, that the persons signing them are, in reality, bishops, and vicars apostolic of the districts therein mentioned. They *protest* against their having used mature deliberation, or any previous discussion, before they condemned the oath in question: *They protest* against the actual condemnation of that oath: *They protest* against its being intended for the Catholics: *They protest* against its publication in Woodfall's Register: *They protest*, that there are no faithful clergy, or laity, under the care of these apostolic vicars; and still more, do they *protest* against any right, which their bishops have, to signify any approbation of the oath. *They protest* that the restoration of peace, to the minds of the faithful, cannot promote their spiritual welfare: *They protest* against their having given in, or intended to give in a bill, containing an oath to be presented to parliament, in order that it should be sanctioned by the legislature; and

and be tendered to the Catholics of this kingdom: *They protest* against the fact of the oaths having been also condemned by the apostolic see, and by the bishops of Ireland and Scotland: *They protest* against any alteration having been made by themselves in the oath between the 21st of October, 1789, and the 19th of January, 1791: *They protest* against the fact of any publication having been lately made, that was schismatical, scandalous, inflammatory, and insulting to the supreme head of the church, the vicar of Jesus Christ; and consequently *they protest* against the supreme head of the church being the vicar of Jesus Christ. These are *matters and things* contained in the Encyclical Letters; and lest any such matter or thing should escape from under the operation of this their all-grasping *protest*, they expressly *protest against* every *clause and article*, in which these matters and things are contained.

Although persons, who do not hold communion with the church of Rome, will readily protest against any authority of the bishops of that church over them, yet few would, I believe, protest, as the committee have done for themselves and others, against their authority and jurisdiction over the members of the Roman Catholic church within their respective districts. The committee have said*,

* Second Blue Book, p. 14.

Thus

Thus publickly we have acknowledged our-selves members of the Catholic church: and in order to shew how inconsistent they still are with themselves, in the very letter, which contains this unparalleled sample of *protest-ing*, they thus address themselves to these very bishops: "Respectable for your ex-
 "emplary piety, your missionary zeal, and
 "your many other moral and religious en-
 "dowments, your lordships are entitled to
 "the utmost attention and respect; the
 "utmost attention and respect we ever paid,
 "and shall ever pay you. When you de-
 "liver to us the solemn decisions of the
 "church, when you exhort, persuade, or
 "instruct, we know you are within the
 "sphere of your pastoral duty." And yet
 do they expressly *protest* against the instruc-
 tions they give to their flocks, when they say,
 that laymen *have no right, no authority, to*
determine on the lawfulness of oaths, declara-
tions, or other instruments whatsoever, contain-
ing doctrinal matters, but that this authority
resides in the bishops, they being, by divine insti-
tution, the spiritual governors in the church of
Christ, and the guardians of religion. They
protest against their exhortation to the Catho-
lics of their respective districts, to oppose and
hinder the introduction of any oath, into a
bill before parliament, which shall not have
been approved of by them; and they also
protest against their exhortations, persuasions,
and

and instructions to their flocks, to reject with detestation, schismatical, scandalous, and inflammatory publications.

These new *protesting* gentlemen are not only not contented with *protesting* against all these *matters, things, articles, clauses, and determinations*; but they push their *protestations* still further, and, by them, annex the blackest and most envenomed motives, that can be devised, to the reverend prelates, who signed the Encyclical Letters. *They protest* against them as *imprudent, arbitrary, and unjust*; as *totally misrepresenting* that bill, which the legislature has thought proper to accommodate to the wishes and suggestions of these very prelates; and that oath which, upon their representation, the legislature has also rejected. This *protesting* mania has endowed its votaries with a new spirit of divination, to find out that these Encyclical Letters encroach on the *natural, civil, and religious rights* of men; that they inculcate principles hostile to society and government, and the constitution and laws of the British empire. In a word, it has converted these prelates (whom the committee avowed to respect and revere) into open and direct rebels and traitors to their king and country: For *they protest* against these Encyclical Letters, as *derogatory from the allegiance we owe to the state and settlement of the crown.*

After

After these protesting gentlemen have attempted, by their newly adopted art, to conform known, peaceable, moral, religious, and respectable characters, into impostors, usurpers, deceivers, seducers, robbers, vagabonds, rebels, and traitors, we shall not be surprized at their attempts to advance one step further, and endeavour to make a Protestant nation join with them in opinion and judgment. But as in their first effort they were defeated by the extremity of their own extravagance, so were they in the second by the good sense, candor, and uprightness of those, whom they wished to gain over. So far from these Encyclical Letters having *tended to continue, increase and confirm the prejudices against the faith and moral character of Catholics, and the scandal and oppression, under which they laboured in this kingdom,* that it was principally, if not wholly, owing to the effects of these very letters, that the legislature has, in its bountiful liberality, admitted the whole body of Roman Catholics into the benefit of the laws, and participation of the constitution. I did once before, and I do now again, once for all, warn these gentlemen against the insolent presumption of undertaking for their Protestant brethren, to pass judgment and sentence upon us.

It should seem, that the art of *protesting* had now been carried to the highest possible degree of sublimation: but no check nor limits,

mits, civil, moral, or divine, were to be put upon the rage, with which these infatuated protestants, pursued the authors of the two Encyclical Letters. Not contented to protest against all, that had already been said, written, or done upon the business in question, they in *like manner do solemnly protest and (horresco referens) they call upon God to witness this solemn protest against all proceedings had, or hereafter to be had, in consequence of, or grounded upon the said two Encyclical Letters, or either of them, or any representation of the bills or oaths therein respectively referred to, given or to be given by them, or any of them*: Thus do they not only protest against every act, word, and motive of their apostolical vicars, but even against the possibility of any future word, action, or motive, being produced by them upon this subject, conformable with the dictates of human prudence, the requisitions of the laws of their country, or the counsels and precepts of Almighty God. For, unless Almighty God should, in the utmost severity of his wrath, withdraw from these apostolical vicars the freedom of their wills and actions, and refuse them every future grace in this life, what human being can by possibility know, that they, or some or one of them, will not hereafter speak, write, or act in a manner agreeable both to the laws of God and man?

In

In no age, in no country, in no circumstances was there ever, to my knowledge, an accusation preferred against any man, or any set of men, of a blacker and more complicated nature, than this protestation by the Protestant Dissenting Catholic Committee, against their lawful superiors. They appear to have consulted a table of sins, in order to collect into one catalogue all possible offences, of which these vicars apostolic could be guilty; and, if they will make true their charges, much as I now respect, and revere the private and public characters of these truly apostolical prelates, I will join cordially with the committee in protesting against them, as guilty of imprudence, tyranny, and injustice; of deceit, error, and seduction; of malice, slander, and detraction; of usurpation, robbery, and impiety; of sedition, rebellion, and treason; of immorality, oppression, and scandal; and not only, as now guilty of these misdemeanors, offences, and crimes, but as incapable of repenting of and amending any of them, and so necessarily remaining guilty of each of them for evermore.

From this specimen of protesting, I believe the *non* protesting part of the Catholic body will not heavily repine, that they have declined the honor of enlisting under the protesting and dissenting banners of the committee. Whether from their supereminent talents

talents for *protesting*, our Protestant brethren will incline to admit them as honorary associates or auxiliaries, those *only*, who approve of their exertions, can inform them. I should here conclude, if the committee had not brought other matter before the eyes of the public, by advertising in the newspapers, the resolutions of the meeting of the Roman Catholics, at the Crown and Anchor Tavern, on the 9th of June; and circulating in print a full detail of all the other proceedings at that meeting. Having, heretofore, entered so fully into the several points and matters of dispute and difference between the two parties, I shall endeavour to be as brief as possible, in the few observations I am still under the necessity of submitting to the public upon this subsequent transaction.

“ * Lord Petre, by desire of the committee of English Catholics moved,
 “ That, as the oath contained in the bill for the relief of English Catholics, is not expressed in the words of the protestation, the English Catholics take this occasion to repeat their adherence to this protestation, as an explicit declaration of their civil and social principles, and direct the committee to use their endeavours to have it deposited in the Museum, or some other proper place of public institution, that it

* The Committee's printed Account of the Meeting.

“ may be preserved there, as a lasting me-
“ morial of their political and moral inte-
“ grity.”

It was but consistent with our principles and conduct through this business, that an opposition should be made against this motion; not upon the grounds of the intrinsic merit or demerit of the protestation itself; but because it was reviving a contention, which we hoped would now have subsided for ever, from parliament's having so graciously acceded to each of our petitions. The Protestation essentially differed from the oath, in every shape, in which it came before parliament. If, therefore, we wished to impress the public with a true sense of respect for the unity of our doctrine, it was peculiarly incumbent upon us not to perpetuate any instrument, or act of the body, from which a difference of opinion should be supposed to exist amongst us. According to the gentlemen of the committee, the protestation included matter of opinion, which should ever be avoided in any kind of profession of faith; for strangers do not readily distinguish between points of disputed doctrine, and articles of obligatory belief or faith. We thought that the oath, which was to remain as a record for ever in the act of parliament, was and ought to be looked up to, as the *explicit declaration* of our religious, as well as of our *civil and social principles*. It was, therefore, derogatory from

from the dignity of parliament, even to hint, that the test, which they had imposed upon us, was not such an *explicit declaration*. In a word, it was converting into a monument, a very imperfect scaffold, that had been used in erecting the edifice.

Upon a division, the committee carried the motion by a majority of thirty-six.

All the motions for thanks to the different members of parliament, were carried unanimously.—The last motion was :

“ That the thanks of this meeting, in
“ the name of the Catholics of England, be
“ given to the noblemen and gentlemen of
“ the Catholic Committee, for their atten-
“ tive, *judicious*, and unremitting conduct,
“ whereby the bill, for the further relief of
“ Roman Catholics, has been brought to so
“ fortunate an issue.”

“ It was then moved, That thanks to
“ the vicars apostolic should be included in
“ the motion. However the original motion
“ was carried without the amendment.”

From what has been before said, it will be no matter of surprize, that some sort of opposition should have been made to this motion, which, most undeniably, imported something contrary to the fact. The most delicate method of avoiding a direct opposition to the motion, was to extend it to those persons, to whose exertions and efforts, the present form of the oath and bill were certainly owing. Finding, upon the first division, the

majority of votes, which the committee commanded, and being apprehensive, that in the temper, in which the meeting then appeared to be, a full investigation and exposition of the conduct of the Committee throughout the business, would have produced more heat and confusion, than conviction and peace, little was said upon the subject, and no division was called for.

Since the Gentlemen of the Committee have chosen to commit themselves in so very a marked manner to the public, and have published as widely as possible the thanks of the meeting, for their *attentive, judicious, and unremitting conduct, whereby the bill for the further relief of Roman Catholics has been brought to so fortunate an issue*, I think it incumbent upon me, to recapitulate the reasons, which prevented us, in honour, truth, and conscience, from joining in such thanks to the Committee.

It was highly *injudicious* to attempt to assume the title of *Protesting Catholic Dissenters*; it was still more *injudicious* to attempt to publish a defence of it, and not to abandon it, when it was censured by the bishops, and loathed by so many respectable individuals: it was more than *injudicious* to attempt to cause a division in the body; and it was certainly no *judicious* conduct to endeavour to blacken the characters of our ancestors, in order to make our own appear more fair. It was not *judicious* to attempt to introduce

introduce an oath inadmissible and unlawful to be taken, as a repetition of a protestation, from which it evidently varied: it was less *judicious* to publish to the world, and endeavour to convince them, that their four bishops, and the greatest part of their brethren, were guilty of a flagrant violation of veracity and prevarication, in refusing to take this oath, by terming such recusancy a retraction of their signatures to the protestation. It was *injudicious* not to consult with, and endeavour to procure the previous approbation of the bishops, before they published the form of oath, which was intended to be tendered to the Roman Catholics, as the test of their faith and loyalty. It was *injudicious* (because an abandonment of their trust) after the condemnation of the oath by all the Catholic Bishops of England, to take any measure with government, to forward the adoption of the censured oath, as tending unavoidably to bring on a schism, which would have been a greater evil to the body, than the oppression of all the penal laws put together. It was *injudicious* in those to publish to the world the pastoral mandates of their bishops, who denied and reviled their authority to issue them. It was *injudicious* to set up their own determination upon the admissibility of the oath, in defiance of that of their lawful spiritual superiors. It was *injudicious* to assert (because the falsity of it must strike every one who can read), that the oath was

merely civil, and therefore not cognizable by the bishops, after the committee had allowed the protestation to be one and the same instrument with it ; and that they did not presume to approve of that, as far as it related to *doctrines*. It was *injudicious* in the extreme to attempt, at this day, to import and adopt such an insidious principle from the French democrates. It was *injudicious* to endeavour, much more so to publish and boast of their unmanly attempt to slip from under the operation of the penal laws, unheeded and unobserved : and therefore did ministers insist upon the bill's being rendered fair, open, and explicit. It was *injudicious* to insist in the bill upon the right of presenting to livings, which could affect but very few individuals of the Catholic community, when it was the only thing, which could risk the fate of the bill, as in fact it was the only part of it generally opposed even in the House of Commons. It was *injudicious* in the committee (I will now spare harsh epithets) to frame a clause for enacting a new penal law, as well as re-enacting all the old penal laws, against their bishops, and the greatest number of their brethren, for refusing to take the condemned oath. It was *injudicious* to assume any merit with government for making themselves a new sort of Protestants, to the exclusion of their *non-protesting* brethren, from those favours, which they

they vainly and illiberally would have monopolized to themselves, had Parliament been as intolerant and little liberal, as the committee. It was *injudicious* to assert, that they admitted of the lawfulness of the oath, under the *most explicit sanction* of their late vicar apostolic of the London district, when his solemn censure and condemnation of it, with the other three apostolical vicars, was the most direct conviction of the falsity of the assertion, or of his own repentance or retraction of his prior approbation. It was *injudicious* to frame such a bill, as required so much alteration in its passage through both Houses, and which brought upon it the merited censure of the great personage, whose uprightness, knowledge, and judgment add such lustre to the seals of England. But it was infinitely more *injudicious*, to father it upon government, after the committee had assumed and boasted, in print, of the merit of framing it themselves. It would have been *injudicious*, if true, (but what is it, as it is false?) for them to say in public print, that their spiritual superiors and pastors acted, in the execution of their pastoral charge, in a manner *precipitate and inconsiderate, attending to neither form nor right, falling into errors, and pursuing a conduct, totally opposite to that of their divine master, and little conformable to the practice of his church.* It was *injudicious*, even to phrenzy, to make and publish the protest against

against the apostolical vicars, which carried upon the very face of it the last abandonment of sense, moderation, peace, decency, and truth.

For these, amongst many other reasons, we could not and ought not, either by a public vote or any other measure, to approve of the conduct of the committee as *judicious*.

Unless the gentlemen of the committee had (in my humble opinion most *injudiciously*) brought before the public the suspension of the reverend Mr. Wilks from his spiritual functions, by his immediate, lawful, and local superior, I certainly should never once have mentioned the subject.

As, however, it has been brought forward by the committee, it remains my duty to state fairly to the public so much of the real case, as will enable them to form a just and impartial judgment upon the transaction. According to the practice of the Roman Catholic church, no person in orders can exercise the spiritual functions within a diocese, without the licence of the ordinary of that diocese; and it is in his power to withdraw these spiritual faculties from those, whom he shall judge unworthy to exercise them*.

Mr.

* " In the debate on the subject, the agent of the bishop
" was called upon to declare the canonical fault, for the com-
" mission of which Mr. Wilks had been suspended. In an-
" swer to this he read the following passage from a letter from

Mr. Wilks, who had signed every letter, and concurred in every measure with the committee, and who had also signed the protestation against all past, as well as all future possible acts of his bishop, was the only one of the committee, immediately under the bishops authority, which he had so solemnly protested and publickly acted against. As Mr. Wilks was avowedly and confessedly suspended for the actions he did in concurrence with others of the committee, the public are to judge how far the instigation, direction, or influence of others, could justify the acts themselves. The rest of the committee, and their adherents, will of course applaud and justify, what they have already voted *judicious*.

* " It was moved, that the following letter, addressed by the clergy of the county of Stafford, to the Catholic Committee, be read :

" from Mr. Walmsley, dated June 1, 1791: Because Mr. Wilks has rebelled and protested against the divine established government of the church by bishops and their authority; a crime not less than schism." Vide printed Account of the Catholic Meeting.

* Vide printed Account of the Proceedings at the Meeting.

To

To the Catholic Committee.

MY LORDS AND GENTLEMEN,

" Though our sentiments are already well
 " known to you, we, the clergy of the county
 " of Stafford, cannot let the present occasion
 " pass in a silent vote of thanks. The
 " weighty business, which has so long en-
 " gaged your attention, is at last closed ;
 " and in its successful issue, we trust, you
 " will experience some compensation of your
 " many labours. We have before praised
 " your firmness, your moderation, and your
 " manly perseverance, and we beg leave to
 " repeat the praise. Who will charge us
 " with adulation, when we speak the honest
 " language of truth, which the notoriety
 " of facts dictates ? Yes, the general good-
 " will manifested towards us in both houses
 " of parliament, was generated, in a great
 " measure, we conceive, by your represen-
 " tation of our conduct and principles ; and
 " the further emancipation we have obtained,
 " from the pressure of many penal statutes,
 " we attribute to you. Accept our grateful
 " thanks ! But though your exertions are,
 " for the present, terminated, we flatter
 " ourselves that the day is not very far
 " distant, when we may hope for a further
 " and a more substantial redress of griev-
 " ances.

" ances. Much yet remains to be done.
 " And when that day shall come, it will be
 " on you we shall call, with a confidence,
 " which experience in your zeal and abili-
 " ties will have established. In the mean
 " time let us request you will watch the
 " running series of events, that no favour-
 " able circumstance may be lost, and that
 " every advantage may be improved.

" There is one event, which has given us
 " real pain, and which we must yet men-
 " tion.—Mr. Wilks, we understand, who,
 " in a public meeting, was chosen a member
 " of your committee, and whom we viewed,
 " in a special manner, as the delegate of the
 " clergy, has been suspended from his func-
 " tions, for the discharge of those duties,
 " to which a public vote had named him.—
 " We beg leave, to recommend his case to
 " the general meeting now assembled, and
 " intreat, that some measure may be adopted
 " by them, the nature and tendency of
 " which your prudence and sense of justice
 " will best suggest.—But should that mea-
 " sure fail of success, the clergy of Staffor-
 " shire pledge themselves, to make his cause
 " their own, and doubt not, but they shall
 " receive such co-operation from all the cler-
 " gy of England, as shall insure success to
 " their endeavours, in restoring to their dele-
 " gate the good-will of his bishop, and the
 " exercise of his ecclesiastical functions."

This

This letter was signed by 14 clergymen of the county of Stafford.

Then the following papers were read, *viz.* " 1. The resolutions of the general meeting of the 15th of May 1788, by which Mr. Wilks was appointed member of the committee. 2. Mr. Walmesley's letter, suspending Mr. Wilks *. 3. Mr. Wilks's answer †. 4. A letter, addressed " by

* To the Revd. Joseph Wilks.

Bath, Saturday, Feb. 19, 1791.

" As you have evidently refused submission to the ordinances of the apostolic vicars ; if, before or on Sunday next, the 26th instant, you do not make to me satisfactory submission, I declare you suspended from the exercise of all missionary faculties and all ecclesiastical functions in my district.

" Let this one admonition suffice for all.

† *CAROLUS RAMATEN, Vicar apostolic.*

+ The whole of this letter, dated February 23d 1791, being very long, I shall quote such parts of it only, as seem to comprise the general grounds of his motives and conduct.

" In this transaction I concurred, because I was vested with a public character. I was not acting as a private missionary of a single district, but as a representative, chosen by the Catholic body, to watch over and promote the general welfare."

" Whether the other apostolic vicars or the Catholic committee have best consulted the present and future welfare of the English Catholics must be determined by events."

" My Lord,—acting in a public character, it was only to the whole body I could esteem myself accountable for the manner, in which I discharged my trust. As an individual, or a Missionary in your Lordship's district, my conscience does not charge me with any transgression of your ordinances. That any steps I have taken, in the concerns of the English Catholics, should have given you offence, is, what I sincerely regret ; but I have taken no steps, which circumstances did not seem to call for, and which, to my conscience, did not seem justifiable.

" Whether

“ by the gentlemen of Bath to Mr. Walmesley, on Mr. Wilks’s suspension. 5. The conditions, required by Mr. Walmesley from Mr. Wilks, to have the suspension removed.”*

The

“ Whether the legislature will grant any relief to the English Roman Catholics, or what form of oath they will ultimately prescribe, or even, whether they will require any oath at all, is yet, and must be, to me unknown. A bill, without either protestation or proviso, is our wish, and the wish of the warmest and most enlightened of our friends. But the legislature will dispense its favours, as in its wisdom it shall judge best. However, my resolution has always been, never to take any oath, which should be disapproved of by the bishop, in whose district I had missionary faculties.”

“ To my judgment, an oath may appear unexceptionable, and the taking of it, may be attended with beneficial effects; but the rules of subordination will dictate to me, rather to sacrifice personal convenience and advantages, than to act in opposition to the commands of my immediate pastor. By pursuing this line of conduct, I thought it possible, to reconcile the duties of an important trust, which had been confided to me, without any solicitation of my own, with the submission I owed to the determinations of my local superior.”

“ But your Lordship has thought it necessary to suspend me from my ecclesiastical functions, and I bow with profound respect to this exertion of your authority.”

“ My Lord, though judged by your Lordship unworthy to perform the duties of a pastor, I still humbly and earnestly beg your blessing and your prayers.

“ I have the honour to be,

“ with great veneration,

“ your Lordship’s humble and obedient servant,

“ JOSEPH WILKS.”

* The CONDITIONS:

1. That he should acknowledge himself sincerely repentant, for having acted in opposition to the apostolic vicars.

2. That he should withdraw his signature from the answer, given to the two apostolic vicars, on the 8th of last February, and the protest therein contained.

3. That

The minutes of the meeting have been communicated to the vicar apostolic of the western district: and he has written the following letter to the person, who communicated them to him.

“ In answer to your favour of the 10th,
 “ I shall be very willing to withdraw the
 “ censure of suspension laid on Mr.
 “ Wilks, when he has professed to me that
 “ submission, the terms of which he is ac-
 “ quainted with. I am,

“ Sir,
 “ Your humble Servant,
 “ C. WALMESLEY.”

I leave it to the public, to judge of the propriety of this bishop's conduct towards his ecclesiastical subject, whilst he persists in refusing to withdraw his signature from the foregoing protest.

It will be but justice to the truly evangelical moderation, prudence, and firmness of our own vicar apostolic, to lay before the public his last pastoral letter, which will emphatically enforce the sentiments, with which I shall conclude this publication.

3. That he should inform the committee, that he had withdrawn his signature.
4. That he should engage himself, by promise, never to commit such indiscretions for the future.

To

Pastoral Letter,

*To all the Faithful, Clergy and Laity,
of the London District.*

DEAR BRETHREN,

AT length the day is arrived, when I may congratulate with you on the greatest of blessings—THE FREE EXERCISE OF OUR HOLY RELIGION.

A humane and generous legislature has seen the oppression under which we have laboured, and, by an act worthy of its enlightened wisdom, has redressed the grievances, of which we complained.

As our emancipation from the pressure of penal laws must awaken every feeling of a grateful mind, hasten to correspond on your part with the benignity of government. Hasten to give to our gracious Sovereign that test of loyalty, which the legislature calls for, and to disclaim every principle dangerous to society and civil liberty, which has been erroneously imputed to you.

Continue to pursue a uniform virtuous line of conduct: giving no offence to any man, that our ministry be not blamed. Provide things good not only in the sight of God, but also in the sight of all men, and let an universal benevolence ever characterize you in the eyes of your fellow-citizens.

Though

Though you be not admitted to an equal participation of rights, continue to shew yourselves deserving of that favour: and continue to implore the divine blessing on your KING and COUNTRY. *For the rest, brethren, rejoice, be perfect, take exhortation, be of one mind, have peace: and the God of peace and of love shall be with you.*

† JOHN CENTURIEN, V. A.

London, June 14, 1791.

P I N I S.

E R R A T A.

Page 66, Line 20, for *from* read *form*.

72, —— 5, omit the word *that*.

87, —— 29, for *those* read *these*.

